SENATE.

MONDAY, *April 10, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SHEPPARD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Overman	Stone
Bankhead	Hollis	Page	Sutherland
Borah	Husting	Pittman	Swanson
Brady	Johnson, Me.	Poindexter	Taggart
Brandegee	Jones	Pomerene	Thomas
Bryan	Kenyon	Ransdell	Thompson
Burleigh	Kern	Reed	Underwood
Chamberlain	La Follette	Robinson	Vardaman
Chilton	Lane	Saulsbury	Wadsworth
Clapp	Lodge	Shafroth	Walsh
Clark, Wyo.	Martin, Va.	Sheppard	Warren
Colt	Martine, N. J.	Sherman	Weeks
Culberson	Myers	Shields	Williams
Cummins	Nelson	Simmons	Works
Dillingham	Newlands	Smith, Ga.	
Gallinger	Norris	Smith, S. C.	
Hardwick	Oliver	Smoot	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER], who is away on official business. He is paired with the Senator from Idaho [Mr. BRADY].

I desire also to announce the unavoidable absence of the Senator from Arizona [Mr. SMITH], on account of illness.

I wish also to announce the unavoidable absence of the junior Senator from Maryland [Mr. LEE], who is paired with the Senator from West Virginia [Mr. GOFF].

These announcements may stand for the day.

Mr. CHILTON. My colleague [Mr. GOFF] is absent on account of illness.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

NATIONAL DEFENSE.

Mr. JONES. Mr. President, I desire to give notice that on Wednesday, the 12th, at the conclusion of the remarks of the Senator from California [Mr. WORKS], I shall submit some remarks on preparedness and the pending military bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Georgia [Mr. HARDWICK] to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. CHAMBERLAIN. I understood that the Senator from Georgia [Mr. HARDWICK] desired to address himself to that amendment. I do not see him present. Besides, I understood that we were going to take up the sugar bill this morning at 11 o'clock.

Mr. OVERMAN and others. At 12 o'clock.

The VICE PRESIDENT. The Senator from Georgia [Mr. HARDWICK] answered to the roll call.

Mr. SMOOT. The sugar bill is to be taken up not later than 12, and we can begin now.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia to the amendment of the Senator from South Carolina.

Mr. NORRIS. Let us have the amendment to the amendment read.

The VICE PRESIDENT. The Secretary will state it.

The SECRETARY. On page 2, line 17, strike out the words "and useful in the manufacture of fertilizers."

Mr. SIMMONS. Mr. President, I had supposed that the sugar bill would not be taken up at 11 o'clock, but I am ready to proceed with it now, unless the Senator from Oregon wishes to go on with the military bill until 12 o'clock.

Mr. CHAMBERLAIN. It is immaterial to me. If the Senator prefers I am willing to go ahead with this bill until 12 o'clock.

Mr. JONES. I think it was the general understanding that the sugar bill would come up at 11. The unanimous-consent agreement says "not later than 12." I know Senators who are expecting to speak on the pending amendment are not here.

Mr. SIMMONS. I am ready to go on with the sugar bill.

Mr. CHAMBERLAIN. Then I ask unanimous consent that the pending bill be temporarily laid aside in order that we may take up the sugar bill, under the unanimous-consent agreement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and lays House bill 11471 before the Senate.

DUTY ON SUGAR.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11471) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, which had been reported from the Committee on Finance with an amendment.

The VICE PRESIDENT. The amendment of the Committee on Finance will be read.

The SECRETARY. The Committee on Finance reports to strike out all after the enacting clause of the bill and in lieu thereof to insert:

That the third proviso of paragraph 177 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913 (Stat. L., vol. 38, pp. 114 to 202, inclusive), be, and is hereby, amended to read as follows: "*Provided further*, That on and after the 1st day of May, 1920, the articles hereinbefore enumerated in this paragraph shall be admitted free of duty."

SEC. 2. That the proviso of paragraph 178 of the aforesaid act be, and is hereby, amended to read as follows: "*Provided*, That on and after the 1st day of May, 1920, the articles hereinbefore enumerated in this paragraph shall be admitted free of duty."

Mr. SIMMONS. Mr. President, the difference between the bill as passed by the House and the Senate committee amendment, which is in the nature of a substitute, is very simple. The act of October 4, 1913, provided that after the 1st day of May, 1916, sugar should be admitted free. The bill as passed by the House repealed the free-sugar proviso of the act of 1913, thereby placing sugar upon the dutiable list without any limitation as to time. The Senate committee amendment retains the free-sugar provision of the act of 1913 and extends the time when it shall go into effect from May 1, 1916, to May 1, 1920. That is to say, the effect of the Senate committee amendment is simply to extend the time when sugar shall cease to be dutiable and become free—four years longer—the original act having extended the time for nearly three years.

When the original act was passed the time for the free proviso to go into effect, to which I have referred, was extended to meet a situation which existed at that time with respect to the industry in this country. The justification for the present proposed extension is to meet another and a new situation growing out of the needs of the Treasury and the general revenue situation of the Government.

The Senate committee in its amendment seeks to preserve the principle enunciated in the original act in favor of free sugar and to provide for the emergency, which it is believed will be of a temporary character, by again extending the time so as to bridge over the present revenue situation created by the effect of the war conditions in Europe.

Mr. President, when the act of 1913 was framed and when it was decided that sugar should be untaxed, but that to meet a situation it was necessary or expedient and just to extend that period for three years, the Congress, acting upon the report of the Finance Committee, decided that during the three years while sugar was to remain on the dutiable list, the duty should be reduced so as to conform to the theory upon which the bill was framed, to wit, as a revenue-producing measure based upon competitive rates. Carrying out the purpose of giving the people the benefit of the same ratio of reduction upon sugar during the three years it was to remain upon the dutiable list that was given with respect to the other articles retained upon the dutiable list in the bill, your committee proceeded to reduce the duties of the Payne-Aldrich bill upon sugar just as it proceeded to reduce them upon other articles.

The duties imposed by the Payne-Aldrich bill upon sugar were protective. We reduced those duties upon sugar about 25 per cent. That was about the same or probably a little greater reduction than those made upon other staple articles taxed by both the Payne-Aldrich bill and by the present law. In other words, Mr. President, we reduced the duties upon sugar during those three years just about in the same ratio that we reduced the Payne-Aldrich duties upon woolens and cotton goods and upon iron, steel, and many other articles. So, if this period is again extended for four years, sugar will be dutiable as other articles in the act are dutiable, not upon a protective basis, but upon a revenue basis, according to the revenue standard fixed in that bill; that is to say, Mr. President, if the duties which the present law imposes upon woolens and cotton goods, upon iron, steel, and other commodities are revenue rates or free-trade rates, as our Republican friends are in the habit of saying, then sugar, which was then subjected to the same degree of reduction, will also be continued upon a revenue basis.

Mr. President, the attitude of both political parties in this country in the past toward sugar has been one of alternately favoring free and dutiable sugar. The Mills bill, which was a Democratic measure, free listed sugar. The McKinley bill, which was a Republican measure, also free listed sugar. The Wilson bill, a Democratic measure, took sugar off the free list, where the McKinley bill had placed it, and placed a duty upon it of 40 per cent ad valorem.

Mr. SMOOT. Mr. President, I think the Senator from North Carolina perhaps would like to be absolutely accurate in the statement he is making.

Mr. SIMMONS. Yes. I am not making this statement in a controversial spirit at all.

Mr. SMOOT. Nor do I intend to make my statement in that spirit.

Mr. SIMMONS. If I am inaccurate, I shall be very much obliged if the Senator from Utah will correct me.

Mr. SMOOT. What I wanted to suggest to the Senator from North Carolina was that the McKinley bill provided a bounty on sugar, instead of a tariff.

Mr. SIMMONS. Oh, yes; but it placed sugar upon the free list. The Wilson bill, as I said, Mr. President, a Democratic measure, took sugar from the free list where the McKinley bill had placed it and placed it upon the dutiable list. The Dingley bill, a Republican measure, retained sugar upon the dutiable list and increased the duty upon it. The present tariff law, following the Mills bill, placed sugar upon the free list, but postponed the time when the law should go into effect for about three years.

The discussions in Congress and outside of Congress on the several bills to which I have referred show that the change in attitude of the two parties with reference to the taxing or untaxing of sugar has been influenced largely—not altogether, but largely—by the financial condition of the Treasury and the need of the Government for revenue. Revenue considerations were probably as influential in bringing about the diverse treatment of this commodity by the Republican Party as by the Democratic Party.

Now, Mr. President, in order to show that apparently our Republican friends have felt as we did, that sugar, a necessary of life, consumed by all the people, the poor as well as the rich, ought to be untaxed when the revenue situation of the Government permitted, I wish to read some extracts from the speeches of leading Republican Senators, with reference to this subject, when the last four bills to which I have referred were under consideration in the Senate.

When the McKinley bill, placing sugar upon the free list, was before the Senate in 1890, Senator Aldrich, who was a conspicuous leader of the Republican Party and a recognized authority upon matters pertaining to the tariff and revenue, addressing himself to that bill, said:

> Whatever duty we remove from raw sugars will be for the benefit, and the direct benefit, of the people of the United States.

Senator Hale, then prominent in Republican councils, and also a recognized authority, said:

> The reciprocity amendment, adopted by the Republican Congress and signed by a Republican President, was based upon the determination of the Republican Party to put upon the tables of the American people untaxed sugar, and to reduce the surplus revenue of the country to the extent of $60,000,000 a year.

Mr. Morrill, the author of the Morrill Tariff Act, speaking to the same general effect, said:

> The question of adding free sugar to the breakfast table presents even a stronger case than tea and coffee presented in 1872 for like treatment. Every dollar of the duty imposed comes out of the poor as well as of the rich. If you can prudently—

Said Mr. Morrill—

> do without the revenue of over $50,000,000, clearly it should be done without hesitation. There is no article so largely and so equally consumed by the people.

That was when the Republican Party proposed to put sugar upon the free list, and as a result of the attitude of leading Senators representing the dominant party it was placed upon the free list.

Four years afterwards, when the Wilson bill, which took sugar from the free list, where the McKinley bill had placed it, and put it upon the dutiable list, on the amendment of Senator Jones, of Arkansas, imposing a duty of 40 per cent ad valorem upon it, was under consideration in the Senate, Senator Peffer, Populist Senator from Kansas, but who, affiliated with the Republican Party before, after, and while he was in Congress, offered an amendment to place sugar upon the free list, and it was supported by every Republican in the Senate. After the failure of that proposed amendment in Committee of the Whole to put sugar upon the free list, the great Senator from Rhode Island, Senator Aldrich, with, I think, some little evidence of pique, said, addressing himself to the Democratic Senators who had voted against the amendment:

> I say to you now, that when this question is reached in the Senate, we shall try on this side of the Chamber to secure, if possible, a vote for free sugar.

There was no proposition then to retain a bounty upon sugar. Senator Peffer knew when he introduced that amendment——

Mr. CURTIS. Mr. President, will the Senator please give the year when that occurred?

Mr. SIMMONS. 1894.

Mr. CURTIS. That was at a time when we were producing very little, if any, beet sugar.

Mr. SIMMONS. I think we were producing some beet sugar at that time; but that is not pertinent to the line of argument which I am pursuing. I say that when Senator Peffer offered that amendment, which was supported by all the Republicans, to put sugar on the free list; when Senator Aldrich gave utterance to the sentiments that I have just read, to the effect that, notwithstanding the Peffer amendment had been defeated in Committee of the Whole, when it got into the Senate he and his party would try, if possible, to get another vote to put sugar on the free list—there was, I say, at that time no thought on the part of Senator Aldrich or any other Republican Senator that if sugar should be put on the free list in a Democratic measure the Democratic Party would put a bounty upon sugar. Everybody knew that the Democratic Party was then, as now, and always, irrevocably opposed to bounties. Hence when, in 1894, the proposition to retain sugar on the free list came from the Republican side of the Chamber, with the support of the leaders and the entire body of the Republican side, it meant free sugar without bounty; and while the attitude of the party in 1890, when the McKinley bill was adopted, with reference to putting sugar upon the free list might in part have been dictated by the supplemental policy of a bounty upon sugar to protect the American producer, whose product was about to be put upon the free list, in 1894, when the Democrats were taking it off of the free list and were met with opposition from the Republican Party and with the insistence on their part that it should remain upon the free list, it was unequivocally a vote to free list sugar without any reference to or expectation of a bounty to the sugar producers to supply the place of the duty they sought to remove.

Senator Hale, addressing himself to the Wilson bill, in which the Democrats put a duty on sugar, said:

> Mr. President, there is one thing that is certain as the coming of the tides and sunrise, and that is that whatever happens to be put finally into the bill and is comprehended in its features when it passes, the American people will not go long without a return to the features of free sugar for the breakfast tables of the people, thereby saving to those breakfast tables an annual tax of beween $60,000,000 and $70,000,000.

Senator Aldrich, in addressing himself to the bill in general terms—the other quotation that I have given from him had reference to the Peffer amendment—said:

> I include also the representatives of the third party, those gentlemen who have always asserted that they were the friends of the people; they have signalized that friendship to-day by joining their Democratic allies in forcing upon the people of the United States—

What?—

> this unjustifiable, indefensible, and infamous (sugar) tax. I said this tax was infamous—

Said the Senator—

> and if I could employ any stronger word than that in characterizing it I should be glad to do so.

Senator Allison added his mite, and, of course, his mite was mighty, with this observation:

> Mr. President, if I had my way, I should strike from this bill every vestige which provides a duty on sugar.

But the duty on sugar was retained, notwithstanding the stubborn opposition and aggressive fight made against it by the leaders of the Republican Party, backed by the whole body of that party in this Chamber.

In 1897, three years after that, when the Dingley bill was before the Senate, increasing the duty on sugar from 40 per cent at valorem under the Wilson bill to 1.63 cents per pound, the report of Mr. Dingley declared and recognized that the purpose in retaining this duty and increasing it was in part in order to get more revenue. Senator Aldrich, still not satisfied that there should be a tax upon sugar, and evidently still adhering to his original views as expressed in 1890 on the McKinley bill and in 1894 on the Wilson bill, with that wisdom which characterized him in dealing with practical questions, yielded to the revenue necessities of that day, and waived at the time his opposition to a tax upon sugar. He said:

> The pressing necessity for securing greatly increased revenue seems to render a return to the Republican policy of free sugar, adopted in 1890, an impossibility.

I suppose he meant the Republican policy upon this subject as exemplified and as enunciated in the McKinley bill.

The demand for revenue purposes, and a belief that every reasonable effort should be made to encourage the production of beet sugar in the United States, led a majority of the Finance Committee to recommend the high rates upon sugar which are contained in the bill now before the Senate.

Senator White, of Louisiana, who, although a Democrat, was in favor of a duty on sugar, as the Senators from that State have generally been. In his discussions of this bill, referring to the attitude of the Republican Party in 1890 and 1894, he makes clear the Republican thought and purpose at that time with reference to taxing sugar when a tax on it was not needed for revenue requirements, and that that purpose was correctly expressed and outlined in the speeches of leading Republicans which I have cited. Senator White said:

The American breakfast table was a source of solicitude on the other side of the Chamber during that debate—

Referring to the debate on the McKinley bill.

We were told that the poor man was entitled to have his sugar without any tariff mixture. Untaxed sugar was something that the Republican Party guaranteed to every American consumer. He must have sugar and he must have it free from tax. Yet, Mr. President, the same distinguished gentleman, I repeat, who at that time so roundly denounced the Democrats in this Chamber because of the imposition of a small sugar tariff, are here to-day levying a greater tax, as a result of their experience and in the face of their own advertised promises and record.

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During the consideration of the Wilson bill, day by day it was dinned into the public ear of this country that the only true method of bringing about a correct solution of this entire tariff subject regarding sugar and the only way to build up the sugar industry was to impose a bounty. Throughout the consideration of that bill, from the day the debate began until it concluded, we were informed by the Senators from the other side of the Chamber that a tax on sugar was an outrage.

Mr. President, I have not recited these positions of the Republican Party for the purpose of making any political capital or for the purpose of entering into any partisan discussion. I have recalled them simply for the purpose of trying to show that, at the bottom, both parties believe, because of the fact that sugar is such a universal article of food, consumed equally by the rich and the poor, that it ought, if the Treasury conditions will permit, to be one of the untaxed articles, and that, so feeling, both of these parties have in the past placed sugar alternately upon one list and alternately upon the other list, and the revenue requirements of the Government have in large measure prompted and influenced the action taken in each case.

Mr. President, at this time I shall content myself with the statement I have made with reference to this measure, supplementing it only by the statement of what is known to every Senator—that the present financial situation, very much to our regret, on account of circumstances which we can in no way control, makes it necessary for us to have a large amount of additional revenue. Recognizing sugar as one of the best of all the revenue-producing articles, having reduced the rates to the revenue basis, according to the standards of our Democratic tariff act, we feel constrained to yield to the necessities of the hour, and further to extend the time for untaxing this food necessity.

I do not desire to say, and shall not at this time say, more with reference to this bill; nor do I desire, now or at any time during this debate, to engage in a partisan discussion of the tariff. I shall, however, if it becomes necessary as the debate proceeds, have more to say, although I trust we may avoid any prolonged or partisan discussion on account of the well-known anxiety of the Senate to expedite certain other legislation of great importance and emergency, and on account of the fact that it is important that this measure should be passed before May the 1st, when, otherwise, sugar will under the present law become free. Speedy action is also especially necessary in view of the fact that the sharp disagreement between the House and the Senate, if the Senate substitute passes, may require considerable time in conference, and the conference report may become the subject of considerable discussion in the one or the other body.

Mr. GALLINGER. Mr. President, will the Senator from North Carolina permit a question before he takes his seat?

Mr. SIMMONS. Yes.

Mr. GALLINGER. I have listened very carefully to the speech of the Senator; and while I think he might well have omitted some things that he has incorporated in his speech, yet I will ask the Senator this question: I assume that if this side of the Chamber can not have the House bill, which I think a large proportion of the Republicans prefer, the Senator will welcome our assistance in passing the amendment which he has reported from the Committee on Finance?

Mr. SIMMONS. Of course, Mr. President, we shall welcome the assistance of Senators on the other side. I have tried very hard to say nothing with respect to this question, upon which I think there is accord to a large extent on both sides of the aisle, that might be presumably displeasing to the minority side of the Chamber.

Mr. NEWLANDS obtained the floor.

Mr. SMOOT. Will the Senator yield to me for a moment?

Mr. NEWLANDS. Certainly.

Mr. SMOOT. I simply wish to say to the Senate that I did not intend to speak on this subject, and I thought we could get a vote on it very promptly; but the remarks of the Senator from North Carolina will compel me to make a statement. Therefore I shall desire to occupy a few minutes of the time of the Senate.

Mr. NEWLANDS. Mr. President, I trust that the contingency referred to by the Senator from New Hampshire [Mr. GALLINGER] will not occur, that the substitute providing for free sugar after 1920 offered by the Senate Finance Committee for the action of the House will be defeated, and I trust that the Democrats of the Senate will stand by the views of the President and the House as the best expression of Democratic sentiment upon this subject, rather than upon the views of the Democratic members of the Finance Committee.

I shall be brief, Mr. President, in my discussion of this question. I shall go no further back than the last Democratic convention, when a free-sugar plank urged before the committee on platform of the Democratic Party was defeated without, if my memory is correct, a dissenting vote.

I also refer to a unanimous report of the Democratic members of the Finance Committee of the Senate made only a short time before the meeting of the Democratic convention at Baltimore, in which those Democratic members unanimously reported in favor of a revenue duty upon sugar, declaring that it had been the traditional policy of the Democratic Party to levy such a duty.

We all know the history of the free-sugar proviso in the last tariff act. The President of the United States at that time urged, whilst the tariff was under consideration by the Ways and Means Committee of the House, that sugar should be put upon the free list, and I am reliably informed that at that time and before his expression of opinion there were only two members of the Ways and Means Committee of the House who favored free sugar. The Ways and Means Committee of the House yielded to the views of the President, and a provision insuring the reduced duty on sugar until 1916 and then putting it on the free list was put in the tariff.

The President also, when the bill came to the Senate, made a similar request of the Democratic members of the Finance Committee, and they yielded, the members of that committee being almost identical in membership with the Democratic membership of the Finance Committee at the preceding Congress, which declared that the traditional policy of the Democratic Party favored a revenue duty upon sugar.

A number of Senators from the West, including myself, who represented the arid and semiarid region, realizing that beet-sugar production was the basic agricultural product of that region, upon which in a large degree the agricultural prosperity of the region rested, endeavored to convince both the Senate Finance Committee and the President that fair dealing with reference to the beet-sugar industry required only a moderate reduction in the duty on sugar to a revenue basis and not ultimate free trade, but without result. There were enough members representing that region who, if they had acted independently of the caucus action, could have beaten the proviso establishing free trade in 1916; but being unwilling to defeat the will of the party as expressed in a party caucus, they finally reluctantly assented.

Mr. President, conditions have now changed. The European war is on. The country needs revenue, and we realize that as a result of diminished production of beet sugar in France, in Russia, and in Germany it was a fortunate thing that sugar production had been stimulated in this country by a duty upon sugar, whether that duty was of a revenue or of a protective character, for it had developed the production of nearly a million tons annually, pretty nearly one-sixteenth of the production of the world, within the boundaries of the United States, exclusive of our insular possessions, and unless that production had been stimulated the cutting off and the shortage of the production of Europe would have very largely added to the very largely increased price caused by the war.

Mr. President, I shall not go into the economics of this question now. I insist upon it that the Democratic Party declared that it would accomplish the revision of the tariff in such a way as not to injure or destroy any legitimate industry, and so I believe that as an industry beet-sugar production is en-

titled to fair and proportionate treatment with the other industries of the country.

I find in looking over the tariff act that the farm products of other regions, some 50 in number, in Schedule G, are dutiable, such as barley, macaroni, oats, butter, vegetables, eggs, poultry, hay, honey, citrus fruits, apples, and so forth. I presume the Democratic Party kept those products in the tariff act in redemption of the pledge made at Baltimore that they would have regard for every American industry in this revision and that meant a regard for agricultural as well as manufacturing industry, and that therefore they would not hurry these products to the free list, even though it might bring about a freer breakfast table.

I assume that the Democratic Party did that from a sense of justice and not simply from a desire of concilating the agricultural interests in the humid region represented by the major part of the Democratic Party in Congress, and I insist upon it that justice and fair dealing require the same considerate treatment of the agricultural industries of the arid and semiarid region as it does of the agricultural industries of the humid region.

Mr. President, I regret very much to differ with the members of the Finance Committee of my own party upon this subject. I do not indulge in contention with them upon the subject. I regret that they, in view of the utterances of the Democratic members of the Finance Committee in the past, the traditional policy of the Democratic Party and the last expression of the party at Baltimore, did not fall in line with Democratic sentiment as expressed by the President and the House of Representatives in their recent action. So far as I am concerned, whilst I desire to stand with Democrats, I prefer to stand with the President and the House upon this subject rather than with the Democratic members of the Senate committee.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. Certainly.

Mr. SMOOT. The Senator has on two or three occasions made the statement that the President is in favor of the House provision. By what authority does the Senator make that statement?

Mr. NEWLANDS. I do not do it by any direct authority. It was in the air at the time that the administration as a revenue matter proposed to do away with the proviso which put sugar upon the free list in 1916. Nothing was said about simply extending the period of the duty, and I assumed that the action of the House in absolutely, not qualifiedly, repealing the proviso was in harmony with the President's views.

Mr. SMOOT. I simply wanted the Senator to put in the RECORD if he knew from just what source his information came.

Mr. NEWLANDS. No; I have no direct expression, but it was in the air; it was generally believed at the time, and it was doubtless believed by the Democrats of the House, who almost unanimously voted for the repeal of the proviso without qualification.

Now, Mr. President, as to economic aspects of this question, I stand only for a revenue duty upon sugar.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from North Carolina?

Mr. NEWLANDS. Certainly.

Mr. SIMMONS. Mr. President, I do not know upon what authority the Senator makes the statement with reference to the President's attitude. I am not myself advised upon it, but I do feel that it is safe to say that I am sure the President has no hostility to this provision of the Senate committee.

Mr. NEWLANDS. Mr. President, I will not add to my utterance upon that subject. All I can say is that it was apparently the view of the President, and certainly the expression of the Democrats of the House following his suggestion has been in favor of the repeal of this proviso without qualification.

As to the economic aspects of this question, Mr. President, we are about to enter upon an economic crisis at the close of the European war. No one can foretell the result of that war upon the economics of the world. The administration itself is apprehensive, and one of its reasons for recommending the organization of a tariff board is that the consideration of tariffs and action upon tariffs might be of the highest importance in the economic defense of this country, doubtless realizing that an invasion of cheap goods as the result of low wages and hard times abroad might be paralyzing to the industries of the country. So it has been engaged in the study of that question and also in the study of the question as to the anti-dumping provision, all these studies stimulated by the apprehension that an invasion of goods from abroad at the end of this war may be as destructive to the wage earners of our country as an invasion of men.

It is wise to take proper caution, and inasmuch as the caution of the hour demands that we should repeal this proviso, why should we qualify it? Why should we refuse to leave future action upon sugar as upon other subjects, to the wisdom of the hour, guided by experience and information and knowledge, instead of putting this industry in a strait-jacket as a result of apprehension created by present action upon future conditions?

The debate during the discussion of the present tariff developed the fact that Cuba could deliver in New York and in New Orleans raw sugar for 2 cents a pound. As against that we know that the lowest price which can be accepted by farmers in the arid and semiarid regions for their beets is $5 a ton, and that they insist upon a higher price and claim that they are being dealt with unfairly by the sugar-beet factories in giving them a lower price.

The average amount of sugar found in a ton of beets is from 200 to 300 pounds, the average, possibly, being about 250 pounds. So if we divide $5 by 250, we have 2 cents a pound as the price paid by the manufacturer for the sugar in the beets themselves, delivered to the factory. So there we have these basic facts—raw sugar delivered in New Orleans and New York by Cuba, before the war, for 2 cents a pound; sugar in the beet—not raw sugar, not sugar in a manufactured state—delivered to the factory at the rate of 2 cents a pound. We all know that the price of refining raw cane sugar is about one-half the price of putting beets through the factory. We all know that the price of freight from New York and New Orleans to Mississippi and Missouri points is about one-half of the price of freight from the arid and semiarid regions to those points. How, then, will it be possible, if the duty on sugar is abandoned, for the beet-sugar raisers of the arid and semiarid region to compete with Cuba, which is capable of raising its production to an amount almost sufficient to supply the world with sugar, which is capable of delivering cane sugar in a raw state at New York and New Orleans for 2 cents a pound?

Then, do you wish to submit the entire sugar industry to the changes of conditions in Cuba itself—a revolutionary country, where at any time war, the result of domestic and civil conditions, can paralyze that industry, as it did prior to the Spanish-American War, reducing the entire production of that island, I believe, to about 400,000 tons, whereas to-day its production is nearly 2,000,000 tons.

Is it wise, if we are to enter upon a condition of economic as well as of military preparedness, to submit one of the most important food products of this country to the chance of revolution in Cuba, when, by a moderate revenue duty, beneficial to the Treasury of the United States, we can maintain, at least, and perhaps stimulate, a domestic industry that will result in the production of sugar and the maintenance in the end of a lower price level for sugar throughout the world?

Mr. President, I shall not dwell upon this subject further at this time. I will, in closing, merely express the hope that just at the time when we are entering upon an era of preparedness—military, industrial, and economic—we shall act with that deliberation and caution which should characterize our action upon so important a question, uncontrolled by all these considerations of consistency, lest, in endeavoring to square the action of to-day with the action of two years ago, when the action of two years ago was directly contradictory to the action by the Democratic members of the Senate Finance Committee of six months before and to the traditional policy of the Democratic Party, we should produce a condition of depression in the advancement of this great agricultural industry.

Mr. THOMAS. Mr. President, two years ago the Democratic Party, then for the first time in many years in control of both Houses of Congress and of the national administration, proceeded to legislate in accordance with certain pledges which it had made to the people of the United States, and which involved, as the subject of first consideration, a thorough revision of the tariff laws. That majority approached the subject with a full appreciation of its importance and of the necessity of systematic procedure thoroughly representative of a majority of Democratic sentiment. The result was the enactment of what is popularly known as the Underwood-Simmons tariff law.

Schedule E of that statute reduced the duties upon sugar and provided that upon the 1st day of May, 1916, those duties should cease, when sugar would automatically go upon the free list. That decision was not reached without much controversy, some of which was acrimonious, but it was reached neverthe-

less; and, when reached, represented the Democratic attitude upon the subject and the Democratic construction of the Baltimore platform as well.

With those of my party who may challenge this statement I have no quarrel. There is no question that those who contend that the platform did not commit the party to free sugar and those who contend that the platform did commit the party to free sugar both find in that platform a substantive plank as a basis of their respective contentions, but the fact is that the party crystallized its own official construction of its duty as there outlined in the provisions of the Underwood law.

I had hoped, Mr. President, that, whether right or wrong in this conclusion, the vexed subject had been finally laid at rest and that our method of securing revenue would be hereafter largely confined to taxes upon wealth, as contradistinguished from taxes upon consumption. This conclusion was never accepted by those interested in the commodity, or by a great number of them, and it has been, therefore, the subject of more or less agitation ever since, always accompanied by the contention that the perpetuation of the tax was essential to the existence of the industry, although, when the amount of the duty was finally determined, it was declared with equal emphasis by its opponents that it was an inadequate protection.

We are now, Mr. President, confronted with a bill, the purpose of which is to strike out the provisos of schedule E and go back to the old régime, whereby an article of prime and universal necessity is to be indefinitely burdened with a tax, only a portion of which, as levied under its provisions, ever finds its way into the Treasury of the United States.

The Senate committee having charge of the bill, after due consideration, by its majority members have reported a compromise which is quite as distasteful to me as it is to my genial friend from Nevada [Mr. NEWLANDS], but for an entirely different reason. My objection to it is that the law as it stands should not be disturbed; his that it is not made a permanent feature of our tariff law, as the House bill provides. These differences, however, Mr. President, are always bound to arise with regard to the vexed question of protection, and particularly between Democrats who believe in protection and those who do not; and that, I think, is the fundamental difference between the Senator from Nevada and myself, who, if I am to judge from his many public utterances, worships at the shrine of protection with an ardor equal to that of my distinguished friend from Utah [Mr. SMOOT].

Mr. NEWLANDS. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I yield.

Mr. NEWLANDS. Mr. President, I hardly think the Senator fairly represents my view regarding the tariff. I am not a free trader; I believe in a moderate tariff for revenue, so adjusted as not by sudden and precipitate reductions to prostrate industry and produce unemployment and want. I believe in the reduction of the excesses of a Republican high protective tariff; I believe that in proceeding from high protection to a moderate revenue basis we should proceed gradually, as our platform calls for; that the country, having placed itself upon the cliff of high protection, can not safely throw itself over the cliff to the levels below; and that the wise thing is to climb down slowly and laboriously without wrecking the country's industries. With this view I have sustained reasonable, moderate reductions in the tariff and am prepared to consider favorably others, bearing in mind the Democratic platform of Denver, which declared for a gradual reduction of tariffs toward a revenue basis, and bearing in mind also the similar plank in the Democratic platform of Baltimore, which declared that these reductions should be effected without imperiling or destroying any American industry.

Now, if the Senator can make a high protectionist out of the doctrine which I have thus enunciated, I am sure that I can not complain of the manner in which he seeks to do it, for he has been entirely good-natured about it; I can only complain of his logic.

Mr. THOMAS. Mr. President, I would not for the world intentionally misrepresent the view or the position of my very dear friend upon any subject, least of all upon the tariff. I am willing to accept his explanation for what it may be worth. If I erred in classifying him with that school of protectionists of which the Senator from Utah is one of the chief apostles, I will retract it and place him in that school of protection of which the senior Senator from Iowa [Mr. CUMMINS] is so distinguished an advocate and representative; and I do so because I can not distinguish between the attitude of the Senator from Nevada, as just outlined, and that of the late, sometime prominent, but now lamated Progressive Party upon the subject. I known that the Senator believes in stepping down from the "high pinnacle on to the distant plain," but I am satisfied that he would protest against the stepping-down process long before we reached the plain, and would insist upon suspending us somewhere between the top of the cliff and the plain below.

I am no free trader, Mr. President. Free trade might be classified in the language of the lamented Ingalls as "an irridescent dream." I am in favor of a tariff for revenue, because it is impossible to get rid of a tariff entirely; but, except as the protection is incidental to revenue duties, I am no protectionist. We belong, therefore, Mr. President, to different schools; and it is evident now, as it always has been, that, whatever the official views of the great political parties on the subject of protection may be, there is a divergence of sentiment among the members, at least of the Democratic Party, upon the subject, which never has been and, I presume, never will be reconciled.

Mr. President, the real object of this bill, however one may judge from expressions regarding it, is to prolong the duty on sugar. Its ostensible object is to provide revenue in order to meet the necessities of the Government. My contention that it is but an ostensible object is due to the fact that if it be necessary to raise a revenue upon sugar at all, or any other necessity of life, that necessity should find expression in legislation which would place in the Treasury of the United States every dollar of the tax so levied, instead of diverting a part only into the Treasury, and the other part into the pockets of the interests identified with the subject of the tax. In other words, if revenue is the prime motive behind this bill, and it is necessary to obtain it by taxing sugar, then we should tax it in such wise as to realize more than twice the amount of revenue for the Government. This can be effected by an excise tax of similar amount to the duty which is to be prolonged by the Senate substitute, and every cent of it would go into the Treasury of the United States. Moreover, Mr. President, the tax so raised would be a fixed quantity, and would not diminish in amount as the domestic product increased in amount.

It is estimated, speaking roundly, that the present duty upon sugar gives the Government an annual revenue of $43,000,000; but an excise tax at a similar rate on all sugar—that produced at home and that imported—would give the Government, in round numbers, $86,000,000 of revenue annually. Upon the assumption, therefore, that our present duty requires us to obtain revenue, and that the exigency justifies us in raising it from an article like sugar, then common sense, to say nothing of wise statesmanship, would readily suggest an excise tax as a substitute for the existing tariff duty of substantially 1 cent per pound.

But, Mr. President, that view does not seem to be a popular one. It found but little favor in our committee, which seemed to be reluctant to place an internal-revenue duty upon a necessity of life, lest the resentment consequent upon it should make the tax unpopular, although conceding what is self-evident, that the alternative of the excise tax could not affect the price of sugar any more than it is affected by the protective duty. I felt, Mr. President, and I still feel, that if the financial affairs of the Government are so desperate that taxes upon consumption should be prolonged, even temporarily, the dominant body should meet the situation by raising the revenue in the best way—by so raising it that the Government will receive all the returns, albeit, Mr. President, the subject of the tax should be a necessity of life.

Let me ask why we should for the sake of revenue give this favored industry further protection at such tremendous cost to the consumer? Certainly no one to-day will question the universal prosperity of the industry, with perhaps here and there an exception. Certainly not the most ardent protectionist will contend that it needs protection at this time. The contention must be, in the very nature of things, that hereafter, when present conditions shall have changed, the industry will need the further protection of the Government if it is to continue.

But we have, as I say, agreed upon a substitute, and if I vote at all I shall vote, with much reluctance, for it. It means that the proviso in Schedule E, instead of becoming operative on the 1st of May next, will become operative on the 1st of May, 1920. In other words, a postponement of the day of free sugar for four years is provided for in the substitute. This, according to present estimates, will yield $172,000,000 for that quadrennial period; but it also gives the manufacturers and producers of sugar $172,000,000. By this substitute, and upon the theory that we are obliged to have the revenue, we propose to donate to a great, prosperous, and wealthy industry an equal amount of money by authorizing its collection from the consumer. This may be all right; but I can not reconcile it with

my notions of Democratic duty, or with my views of practical, useful legislation. If it be right, then every view which I have expressed upon this subject since the Underwood bill came to the Senate for consideration is wrong. That may not be a remarkable thing. All of them may be entirely erroneous. Nevertheless, I believed them then, as I believe them now, to rest upon a firm basis, and to correctly outline the Democratic position upon the historic question of a duty for revenue.

Mr. CLARKE of Arkansas. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Arkansas?

Mr. THOMAS. I do.

Mr. CLARKE of Arkansas. I think the Senator made the statement that the sugar consumed in this country was divided about equally between that produced in continental America and the islands, on the one hand, and that imported from other sections.

Mr. THOMAS. Yes.

Mr. CLARKE of Arkansas. Does the Senator know how much of the half imported is imported from Cuba?

Mr. THOMAS. Why, practically all of it, Mr. President. I think perhaps fifteen or twenty thousand tons come from other sources.

Mr. SIMMONS. All of it except about 2,000,000 pounds, I think.

Mr. THOMAS. From Cuba?

Mr. SIMMONS. Yes; all except 2,000,000 pounds.

Mr. THOMAS. I accept the correction.

Mr. CLARKE of Arkansas. The Senator corrects his figures, then, as to the amount of bounty that would be given to the untaxed sugar. Practically all sugar is imported in raw condition by the Sugar Trust. The Cuban sugar pays 80 per cent of the rate named in the pending bill.

Mr. THOMAS. Much more than that; the Cuban duty is a trifle over a dollar a hundred pounds—a trifle over a cent a pound.

Mr. CLARKE of Arkansas. Would not the importers of sugar add the entire tariff, and would not they get 20 per cent of $172,000,000 in addition to the $172,000,000?

Mr. THOMAS. That I think is true, Mr. President. Of course, my estimates were based upon the fact that the bulk of the sugar imported into the country to make up the deficiency and supply the needs of the people comes from Cuba. But I think the question asked by the Senator from Arkansas must be answered affirmatively. To this sum of $172,000,000 should be added the amount to which his question refers.

Mr. President, in the consideration of this measure two years ago, and the ultimate disposition that was made of it, the Senators from Louisiana were out of accord with their party action. Their position was perfectly consistent and entirely honorable. It was based upon a situation peculiar to that State as they understood it. I want to say here by way of digression, with regard to the sugar of Louisiana, that the real menace to it is not in the abrogation of all duties but in the expansion of the beet-sugar industry. The industry in the State of Louisiana has been the subject of the fostering care of the United States for a century. Climatic conditions, problems of labor, and other considerations have demonstrated that this protection, extended for so many years, has not been sufficient to place the industry upon a self-sustaining basis, and never will. On the other hand, during the last quarter of a century a new sugar industry, protected for the greater part of its existence, but a new industry nevertheless, has asserted itself, and to-day produces nearly one-fourth of the total consumption of sugar in this country. It has expanded and will continue to expand in the Far West, tariff or no tariff, until by the processes of natural growth and natural selection the less favored industry in the State of Louisiana must ultimately disappear. I believe the time will come when the action of the Sixty-third Congress upon this subject, much as it may have directly affected the material welfare of the State of Louisiana, for whose people I have every consideration, will be regarded as the wisest step that could have been taken regarding it, since during the interval between the enactment of the law and the time when it was designed to take effect due provision could be made for doing away with the industry in that State and taking up other and more profitable pursuits.

I venture the assertion that if a tariff of 100 per cent ad valorem were placed upon sugar in 25 years from now the domestic product would be confined to our insular possessions and to the great semiarid and arid regions of California and the Rocky Mountain West, enjoying, as they do, physical advantages which adverse legislation can not affect and which do not need the protecting influence of legislation to make them operative.

Mr. President, the production of sugar never was so profitable to manufacturers as it is now and as it has been since August, 1914. I venture to say that no industry upon this continent can show more prodigous returns than those derived by the sugar companies of Porto Rico and Hawaii and the beet-sugar companies in the United States, with here and there an exception due either to poor management or undesirable location. The price of sugar at present is phenomenal, and there is no question in my mind that it is going to be higher for a long time before it falls.

In this connection I want to call attention to a few comments that I have clipped recently from some of the newspapers upon this subject. I first refer to the Chicago Journal of the 21st day of March last. This paper says:

There is a possibility of Chicago housewives being compelled to pay 10 cents a pound for sugar within a very short time.

The United States exported more sugar in the year ended March 15 than in any year in the history of the country. The export of refined sugar on that date totaled 173,684 tons, as compared with a total of 25,873 tons for the year ended March 15, 1915.

Let me digress here, Mr. President, with the statement that we have become exporters of the refined product within the last 24 months. Prior to the outbreak of the war the export of sugar from the United States was negligible. To-day, owing to changed conditions—and of course that adds to the price of the domestic product—we have become great exporters of sugar to other nations, and the trade which has been thus acquired will survive the war for many years if there be any truth in the reports of the provisions that are being made by the allies for trade conditions after the war as affecting their future relations with their present enemies, the central empires.

The result of this unprecedented export trade is that sugar is now $7.20 per 100 pounds wholesale. One year ago it was $6.35 per hundred. On January 1 of this year sugar could be purchased in Chicago for $6.20 per hundred, wholesale. The retail price now is from 7½ cents to 7¾ cents.

The biggest buyers of American sugar are England and France. Norway and Sweden, which formerly purchased their supply in Germany, have been compelled to turn to the United States. Added to these buyers are Italy, shut off from Austria, and Greece, formerly a buyer on the German and Austrian markets.

"If Europe was to talk peace to-morrow, the price of sugar would fall off $1 per hundred," said N. N. Jacobson, of Reid, Murdoch & Co., wholesale grocers. "But unless they begin the peace talk within the next few months there is a possibility of the retail price going to 10 cents a pound. At best, an estimate of the probabilities of sugar going much higher is a gamble. Merchants do not count on making much profit on sugar, and when the price advances they generally shut down on their orders, and consumers do not use as much."

W. T. Chandler, vice president of the Franklin MacVeagh Co., wholesale grocers, said that he believed the advance in price was temporarily checked.

"I do not know whether the rumors of peace talk have anything to do with this or not," he said. "Of course peace would mean that they would resume the production of sugar in Europe, which would mean a falling off in our export trade. This obviously would mean cheaper sugar at home.

"The price charged by the merchant is regulated by the wholesale price and advances very slowly. Profit is not looked for, and there will consequently not be any big increase—a jump of from 7 to 10 cents a pound, I mean. I would not care to speculate on what sugar will do. But I admit that 10-cent sugar is a possibility."

From the Rocky Mountain News, of Denver, Colo., of March 18, I clip the following:

SUGAR GOING UP—NO HOPE OF ITS EVER COMING DOWN.

The price of sugar is advancing steadily, with no prospect for any immediate or remote reduction. The passing of the bill keeping the tariff duty on sugar, together with an unprecedented demand for the product, means the development of manufacturing facilities, restricted only by funds to finance projects, the ability to secure materials and suitable locations, according to W. L. Petrikin, of the Great Western Sugar Co. The building of eight factories, two in Nebraska, two in Wyoming, and four in Utah, will begin at once, actual construction being deferred until action upon the sugar bill, which passed the National House Thursday by a vote of 364 to 14.

How familiar that sounds, Mr. President! It is the usual "hold up," warning. Action upon these new structures will be deferred until final action is taken by the Congress of the United States upon the subject of free sugar. I know of two or three new enterprises in my own State and an adjoining State which will not be halted, in my judgment, by anything of the sort, although in a sense they are not new enterprises. In the main they simply consist in the transplantation or transfer of old sugar plants, located in unsatisfactory places, to newer and more attractive locations.

I also refer to and ask leave to insert in the RECORD without reading it a similar quotation from a New York paper of the 16th of March.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

SUGAR SITUATION ACUTE.

NEW YORK, *March 16.*

The situation in the sugar market is rapidly growing acute. Both spot and refined sustained further advances to-day, the latter rising 15 points, to 6.90 cents. Price of raws was marked up 13 points, to

5.77 cents. It is pointed out that since Secretary McAdoo made his speech in favor of the repeal of the duty on sugar the price of that article has risen 2 cents a pound.

In well-informed sugar circles the belief is growing that the only way this rise in the price of sugar and sugar products can be arrested is by the rescinding of this duty. It is pointed out that Cubar interests practically control the sugar market of the world, and they can mark up prices at their will. Insular prices, in consequence, are raised hand in hand with the Cuban interests. Shortage in the crops of Germany and Austria has in no way served as a check to the Cuban market, which is controlled by United Fruit, Canadian Pacific, Cuban-American, and Cuban Cane Sugar Corporation interests.

Mr. THOMAS. Now, Mr. President, let me briefly refer to some of the phenomenal conditions, some of the remarkable profits, some of the tremendous incomes that beet-sugar companies have enjoyed in consequence of this rise in prices. I read a quotation from a trade journal published in New York:

Profits: The Great Western Sugar Co. was organized in 1905 with a capital of $30,000,000, of which there is outstanding $13,630,000 preferred and $10,544,000 common. The common stock was "all water," according to the testimony of its president, Mr. Morey.

I may add that fully 30 per cent of the preferred stock was watered also.

The attached forecast of the Great Western Sugar Co.'s position indicates the prosperity of this "infant" industry. On January 1 it had $10,000,000 in cash and $10,000,000 in sugar, making a total surplus of $20,000,000. The Central Aguirre, of Porto Rico, is now paying dividends at the rate of 24 per cent per annum, but it is suggested to go on a 10 per cent basis next quarter, making dividends at the rate of 40 per cent per annum.

Many of these "infants" are expected to disclose their real profits after the tariff bill, insuring an added profit of $22.40 per ton for the next four years or indefinitely, has safely passed the Senate and the House. In anticipation sugar stocks have shown a further advance.

I do not care to read the table, but will insert it in the RECORD with the permission of the Senate.

The matter referred to is as follows:

Name of company.	Price Mar. 1, 1914.	Price February, 1916.	Price Mar. 31, 1916.
South Porto Rico Sugar Co. (preferred)	$59.00	$110.00	$117.00
South Porto Rico Sugar Co. (common)	30.00	170.00	197.00
Central Aguirre Sugar Co. (preferred)	35.00	165.00	177.00
Central Aguirre Sugar Co. (common)	15.00	167.00	181.00
Fajardo Sugar Co. (preferred)	14.00	86.00	100.00
American Beet Sugar Co. (preferred)	65.00	95.00	95.00
American Beet Sugar Co. (common)	20.00	68.00	74.00
Great Western Sugar Co. (preferred)	91.00	112.00	114.00
Great Western Sugar Co. (common)	45.00	140.00	206.00
Michigan Sugar Co. (preferred)	85.00	100.00	100.00
Michigan Sugar Co. (common)	35.00	102.00	112.00
Utah-Idaho Sugar Co. (par. 10, preferred)	6.50	12.50	12.50

The rescission of the duty would partially reduce the price to the consumers. Nothing else will do it. But I think the removal of the duty would unquestionably result in lowering the price, because the expectation of free sugar prior to the outbreak of the war sensibly affected the price. It was one of the few necessities of life the price of which was actually reduced—I will not say by the law, but I believe that to be the fact—between the enactment of the law and the month of August, 1914.

We have heard much about the high cost of living. It is a question more acute to-day than it ever has been. Here is one instance, on example, one opportunity for lowering to some extent the price to consumers of a prime necessity of life by allowing this law to go into effect in accordance with its original purpose and intent.

Mr. President, I have prepared a somewhat rough table giving an estimate of the profits of beet sugar during the last two years, based upon the Colorado beet-sugar crop for 1915 of Willett & Gray, who are the recognized authority upon the subject.

The beet-sugar crop of the State of Colorado for the year 1915 was 244,499 tons—about one-third of the entire crop. This is the equivalent of 547,677,760 pounds. At 6 cents a pound, less $2.70 cost of production per hundred—and that is the cost testified to or stated before the Hardwick committee in 1912 of producing sugar at that time—that would leave a profit of $3.30 per hundred. With sugar at 6 cents and a total profit for the crop of $18,063,366, upon an estimated próduct of 200,000 tons at 5 cents per pound for the crop of 1914, would produce $12,544,000, or a total in the two seasons of $30,617,366, a profit which is probably less than that actually realized; and of course it does not take into consideration the by-products of the industry, which in 1914 were worth about 47½ cents per ton.

Of the above production the Great Western Co. should be credited with about two-thirds; that is to say, it produces about two-thirds of the entire beet-sugar crop of the State. This gives it $20,412,578 for the two years. The other companies—the American Beet Sugar Co. being the principal one—would represent the beneficiaries of the remaining third.

On the 5th day of April the Wall Street Journal said that the American Beet Sugar Co. had announced earnings for the year ending March 31 at $3,000,000. I am satisfied that this represents but a small portion of its actual profit. Senators may perhaps remember that during the hearings before the committee appointed to inquire into the President's charge concerning a lobby, it was admitted by Mr. Oxnard, the founder of this company, that the actual money invested in his concern was $4,000,000, when it was capitalized at $5,000,000 preferred, with $15,000,000 of common. The admission of this company as to its earnings for 1915 means that for a single year its net profits have been three-fourths of the amount of money originally invested and three-fifths of the amount of money actually invested by it in the business up to the time of that lobby hearing.

Mr. President, in this connection I wish to call attention to the statement of the New York News Bureau of March 30, 1916, regarding the Great Western. This is from Boston:

It is understood that the Great Western Sugar Co. has been ripening a melon that is almost ready for plucking. This company, one of the largest beet-sugar producers in the world, has prospered enormously since the war lifted raw sugar prices to the highest level of years. The common stock, of which there is $10,544,000 outstanding, has advanced from 50 last September to the present market of 200. There is likewise $13,630,000 7 per cent preferred outstanding, the authorized amount of each issue being $15,000,000. The American Sugar Refining Co. is a substantial minority stockholder.

I will come to the share feature of the sugar situation a little later on. I ask leave to insert without reading the remainder of this quotation.

The PRESIDING OFFICER. Without objection it is so ordered.

The matter referred to is as follows:

Great Western Sugar has paid common dividends of 5 per cent since January, 1910. The company issues no financial statements, but it is said on authority that the 1915 earnings were safely over 50 per cent on the common stock. For the current year, if sugar prices hold, the company may easily earn $70 a share. Therefore, so far as earnings alone count, the company could easily multiply its present dividend, but beecause of the uncertainty regarding possible tariff reduction directors have so far stifled the temptation. Great Western had approximately $10,000,000 cash on hand at the beginning of the present year and about the same amount in sugar. It is likely that current liabilities were small, so that the excess current assets were probably equal to $200 per share on the common stock, setting off plants against the preferred-stock issue.

Great Western Sugar is in a position to pay a handsome extra dividend in cash, or to capitalize part of its bulky surplus by the declaration of a stock dividend. The belief is prevalent that some such action is a near-by probability.

Mr. THOMAS. At or about this same time the American Beet Sugar Co. announced a 6 per cent dividend on its common stock. This followed the passage of the House bill repealing the provision regarding free sugar.

Mr. President, there are other companies, as well, engaged in the production of cane sugar, whose condition is equally prosperous and whose returns in proportion to the amount of their capital stock are equally great.

I ask leave to insert, without reading, articles from the San Francisco News Bureau of Monday, March 6, 1916, March 10, 1916, and an article from the San Francisco Chronicle of March 15, 1916, and relating to the financial affairs of certain Hawaiian companies.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

HAWAIIAN SUGAR STOCKS.

[San Francisco News Bureau, Monday, Mar. 6, 1916.]

Honolulu: While stocks continue to climb, investors, speculators, and all persons interested in Hawaiian sugar stock or its profits, which means practically all the business men in the Territory, are wondering how large a part of the millions now held in reserve will be paid out in special dividends. That extra dividends will be declared by most of the companies is generally conceded on all hands, though no intimation of any official nature has been given out that any such plan is in the wind. Dividends of from 20 to 30 per cent, and even higher in some instances, were paid by the sugar companies during 1915, but without exception those on a paying basis piled up huge reserves because of the then uncertain prospect of the sugar tariff. Free sugar is not even a remote danger, and there is no prospect of an early termination of the European war to reduce prices. With land and mills in the best condition ever known in the history of the industry on these islands, and with bulging treasuries, it is held certain that big dividends will be paid as soon as the bill repealing the free-sugar clause has safely passed Congress and been signed by the President. Sixteen companies had on hand cash balances totaling $8,751,000 at the end of 1915, according to the best obtainable information.

HONOKAA SUGAR EARNINGS.

[San Francisco News Bureau, Mar. 10, 1916.]

Honolulu: Honokaa Sugar Co. and the Pacific Sugar Mill, by the purchase of 175,000 shares of stock in the Hawaiian Irrigation Co. (Ltd.), the price totaling more than $95,000, now own practically all the shares

in the latter corporation, according to reports presented to Honokaa and Pacific Sugar shareholders at their annual meeting. The annual report of F. A. Schaefer, president of Honokaa, follows, in part: "The cost of producing a ton of sugar was considerably reduced, viz, from $65.133 to $54.242, these figures not including bond interest, etc., while the net profit on the crop over and above all charges was $161,849, which includes a charge of $17,720 sinking fund on the bonds, which is payable to the trustees during this year. During the year the directors, on the authorization of the stockholders, purchased a four-sevenths interest in 122,500 shares of the Hawaiian Irrigation Co. (Ltd.) for the sum of $81,479, paying for the same in cash. This purchase gives to this company and its neighbor, Pacific Sugar Mill, practically all of the shares of the Hawaiian Irrigation Co. (Ltd.), and is expected to prove very advantageous."

The annual report of F. A. Schaefer, president Honokaa Sugar Plantation, also refers to the fact that the cost of production was reduced approximately $11 per ton.

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[From the San Francisco Chronicle, Mar. 15, 1916.]

SIXTEEN HAWAIIAN COMPANIES HAD $8,751,000 CASH ON HAND.

(By Charles Remington.)

Sixteen Hawaiian sugar plantations, according to actual figures in some instances and estimates in others, closed the year with $8,751,000 cash on hand. This fund has been built up during the past two or three years in anticipation of free sugar. Now that the likelihood of free sugar in the next few years is practically past, the fund will be kept nearly intact for the purpose of meeting this or other unforeseen vicissitudes. The fund, however, is deemed large enough by most of the plantations, so the stockholders in most instances can reasonably expect a full distribution of 1916 earnings, which promise to break all records. The amount of the cash balances on hand December 31, 1915, were:

Ewa	$593,000
Hawaiian Agricultural	600,000
Hawaiian C. & S. Co	1,316,000
Hawaiian Sugar	550,000
Honomu	240,000
Kekaba	390,000
Koloa	90,000
Maui Agricultural	1,122,000
McBryde	71,000
Olaa	453,000
Oahu Sugar	1,000,000
Onomea	715,000
Pepeekeo	400,000
Pioneer	415,000
Waialua	398,000
Wailuku	400,000
Total	8,751,000

Mr. THOMAS. Now, Mr. President, how can it be contended that the extension of this duty is essential to the existence or even to the welfare of this great industry? I am aware that it is said we must not estimate or legislate with regard to existing conditions which are phenomenal, and I admit that they are unusual. I am aware also that it is said that unless this legislation shall proceed these industries will wither away and perish with the return of peace.

Mr. President, if the Great Western Sugar Co., with its $20,000,000 of surplus, and if the other beet-sugar companies with their millions of surplus, and if the sugar companies in the insular possessions with their millions upon millions of surplus are to perish and to disappear when peace shall again gladden the earth with her presence, unless their power to levy toll upon the American people shall be prolonged, then they constitute industries which ought to perish, because it is evident that if prolonged it is only a question of time when they will absorb into their treasuries all that remains worth absorbing not already acquired by similar huge institutions also basking in the sunshine of prosperity consequent upon the suffering and desolation of Europe.

In my section of the country, Mr. President, sugar companies occupy a peculiar advantage. They have capitalized not only the tariff and capitalized the future in their common stock, but as I directed the attention of the Senate two years ago, they have also capitalized inequalities in transportation rates, all of them working to the disadvantage of the consumers in the beet-sugar producing region.

Mr. President, there is a close and indissoluble connection between the great transportation companies of the United States and those huge industries which dominate almost every avenue of human effort and enterprise. Through the conjunction of the control of big business with the control of transportation lines throughout the country competition becomes impossible, and the coexistence of others engaged in the same lines of business is one of grace and of kindly consideration, dependent on good behavior. Equal right to the channels of trade for legitimate competition no longer survives.

It is a singular fact that this industry, about which my distinguished friend from Nevada is so concerned, the beet-sugar industry, has, in conjunction with the American Sugar Refining Co., its principal shareholder, so cunningly devised and manipulated railroad rates as to enjoy a tremendous advantage over the people who are said to enjoy the benefits of this protective duty in the States of Colorado, Wyoming, Utah, and Idaho; and I may assure you that the advantage is pressed to the limit. For example, the rate upon 100 pounds of sugar from Denver to San Francisco, although it is down grade practically all the way, is 30 cents a hundred higher than the rate upon sugar from San Francisco to Denver. The rates upon sugar from Denver to the common points of the Missouri River are similarly arranged. James J. Hill once said that you could kick a barrel of flour and start it rolling in Minneapolis and it would of its own volition roll clear to New Orleans. I might paraphrase this statement by saying that you could kick a barrel of sugar in Denver and start it rolling and it would reach Galveston of its own volition. Yet the rates from Denver to Galveston upon practically all commodities, including such commodities as sugar, are greater than the rates for the same commodities from Galveston to Denver, up grade all the way.

Mr. President, it is generally supposed to be a law of economics that where the supply of a given article gluts the market the price falls. The sugar companies in Colorado produce several times as much sugar as can be consumed there, but the price does not fall worth a cent. On the contrary, the price rises, and we actually pay more for the sugar consumed in the States I have mentioned than in any other part of the United States. This is made possible by the scheme of freight manipulation to which I have adverted.

I have prepared a table which I here insert based upon sugar at $6.90 in New York, wholesale, giving the wholesale price in different parts of the country, among others at Denver:

CANE.	Cents.
San Francisco	7.10
Phoenix, Ariz	7.55
Denver, Colo	7.45
Billings, Mont	7.85
Carson City, Nev	7.55
Boise, Idaho	7.85
Sante Fe, N. Mex	7.45
Omaha, Nebr	7.23
Seattle, Wash	7.05
Portland, Oreg	7.25
Cheyenne, Wyo	7.45
Topeka, Kans	7.33
Des Moines, Iowa	7.25
Pierre, S. Dak	7.43
Bismarck, N. Dak	7.63
BEET.	
San Francisco	6.90
Phoenix, Ariz	7.35
Denver, Colo	7.25
Billings, Mont	7.65
Carson City, Nev	7.35
Boise, Idaho	7.65
Sante Fe, N. Mex	7.25
Omaha, Nebr	7.03
Seattle, Wash	6.85
Portland, Oreg	7.05
Cheyenne, Wyo	7.25
Topeka, Kans	7.13
Des Moines, Iowa	7.15
Pierre, S. Dak	7.23
Bismarck, N. Dak	7.43

With sugar at $6.90 in New York, cane sugar is $7.45 in Denver and beet sugar is $7.25 in Denver. In Billings, Mont., is located one of the largest factories of the Great Western Sugar Co. It produces many thousands of tons of sugar every year. It produces so much, indeed, that it is supposed by its owners to be in a chronic danger of bankruptcy when the question of tariff is agitated. With sugar in New York at $6.90, cane sugar at Billings is $7.85 and beet sugar is $7.65, with the result, Mr. President, that beet sugar manufactured at Billings or at Longmont or any other point in my own and adjoining States can be purchased by the consumer at Omaha and Kansas City, who can then pay the freight upon it to the point of consumption for less than it can be obtained at the very door of the factory producing it.

The amount in round numbers of this added charge, upon the basis of 80 pounds of sugar per capita, to the people of my State is about $250,000 per annum. Calculate what that has aggregated in the last 16 years, during which time the system has been in operation, and then add a similar tax upon the people of Utah, Arizona, New Mexico, Wyoming, Idaho, and Montana, for the same period, and some faint conception may be formed of the tremendous aggregate burden placed upon the people of that section of the country where sugar is produced more abundantly than elsewhere, wrung from them by the skillful and shrewd manipulation of transportation rates which operate as an added protective tariff, then ask what claim this industry has upon the American Congress. I am afraid the burden will be upon us always unless the Government, realizing the impossibility of changing these conditions by what it calls control, shall take over the great lines of transportation and operate them, as they should be operated, on terms of equality for all the people.

Mr. President, this intolerable situation is made possible by the cooperation of the American Sugar Refining Co., which, as

I have stated, is the largest single shareholder of the bulk of these concerns. It could end the practice if it would by the mere threat of competition.

It was stated, I think on the floor, somewhere in my presence, that the interest acquired a good many years ago in the beet-sugar companies by the American Sugar Refining Co. had been disposed of and that the American Sugar Refining Co. is at present arrayed against the beet companies and the ardent advocate of free sugar. Indeed, that bugaboo has been paraded before the eyes of the American people ever since the Democratic Party came into power in 1912 and directed its attention to a rectification of the abuses consequent upon the existence of this tariff.

The contrary is the fact, Mr. President. This concern deliberately set about securing control of the beet-sugar industry as far back as 1902. In a speech which I delivered upon this floor in September, 1913, I gave the details of the transaction and how it was accomplished. It is not necessary here to recapitulate them. Suffice it to say that at that time I inserted in the RECORD extracts from hearings upon the subject demonstrating that the American Sugar Refining Co. was largely interested in beet-sugar companies, which produced about 54 per cent of all the beet sugar in the United States, the interest of the refining company in these companies being approximately 42 per cent, or virtual control. The total amount in dollars of the holdings at that time was stated to be, in round numbers, about $23,500,000. In the recent annual report dated March 8, 1916, of the American Sugar Refining Co., I find this statement:

INCOME FROM INVESTMENTS.

The profit and loss account shows a larger return on "Income from investments" than in 1914. This is owing to larger dividend returns from its holdings of beet-sugar stocks, which companies as producers of their own raw material have prospered greatly with the higher range of prices. There has been a corresponding and substantial increase in the market value of these beet-sugar holdings which, however, have not been reappraised in the item of "Investments general," where they are carried at the same value as in former years. While the company during the last few years has disposed of certain beet-sugar stocks, as opportunity offered, and has so reported to its stockholders, it still has an interest in seven companies acquired many years ago and now carried for investment purposes solely.

If we turn now to its comparative statement for the years 1913, 1914, and 1915 it will be perceived that the profit from its own operations, that is to say the profit from the active and direct business of the company for 1915 were but $2,991,465.39. But its income from investments was $2,312,646.21, and the amount of its general investments are there stated as $22,577,772, or within a million dollars of the amount stated in 1913 as the total par value of all its holdings in beet-sugar companies. Evidently it has disposed of a very small proportion of these investments.

Now, Mr. President, I think that our common experience of human nature will tell us, if, indeed, that were necessary, that the investment of a great concern like the American Sugar Refining Co., producing an income in an amount which is the equivalent of that derived, its own business would hardly be antagonistic to the continuance of a protective duty, the existence of which is so very necessary to the preservation thereof.

But, Mr. President, we have the positive statement of Mr. Atkinson, now, I think, the president of that company, made before one of the committees of Congress, expressly declaring that the company was not identified with the free-sugar movement and was opposed to it, although he believed that some reduction of duty might be made.

There are companies, Mr. President, which are advocates of free sugar and which are engaged in the refining business, but to say that the American Sugar Refining Co., the greatest of them all, that huge concern with its millions upon millions of capital, controlling a majority of the sugar consumption of the United States, practically in control of seven of the great beet-sugar companies of the United States, which it acquired that competition with them might end, is advocating a policy or assuming a position antagonistic to its own expressed interests, is to assume something which is certainly not consistent with its general practice or with the laws of commercial procedure.

I have here, Mr. President, a statement of the refiners in the United States who favor free sugar, those who are undeclared, and those who are opposed to free sugar, which, at this point in my remarks, I ask leave to insert without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

REFINERS IN THE UNITED STATES FAVORING FREE SUGAR.

Federal Sugar Refining Co., New York.
Arbuckle Sugar Refining Co., New York.
Combined refining capacity, 15,000 barrels daily.

REFINERS IN THE UNITED STATES UNDECLARED BUT PROBABLY FAVORING FREE SUGAR.

Revere Sugar Refining Co., Boston.
Warner Sugar Refining Co., New York; in favor of moderate tariff before last Ways and Means Committee (1911).
McCahn Sugar Refining Co., Philadelphia.
Pennsylvania Sugar Refining Co., Philadelphia.
Combined refining capacity, 12,500 barrels daily.

REFINERS IN THE UNITED STATES OPPOSED TO FREE SUGAR.

American Sugar Refining Co., Boston.
National Sugar Refining Co., Long Island City.
National Sugar Refining Co., Yonkers.
American Sugar Refining Co., Brooklyn.
American Sugar Refining Co., Jersey City.
American Sugar Refining Co., Philadelphia.
American Sugar Refining Co., New Orleans.
Colonial Sugar Refining Co., New Orleans.
Henderson Sugar Refining Co., New Orleans.
C. & H. Sugar Refining Co., San Francisco.
Western Sugar Refining Co., San Francisco.
Combined refining capacity, 57,000 barrels daily.

NOTE.—The Revere, McCahn, and Pennsylvania Sugar Refining companies, while undeclared, probably would not oppose "free sugar" because, so far as I know, they make no special profits as the result of the tariff. The reasons for "opposed to free sugar" are clearly evident, as the companies named have, directly or indirectly, connections that make substantial profits because of the tariff.

Mr. THOMAS. Mr. President, I deny broadly that any duty whatever is essential to the continuation or the prosperity of the beet-sugar industry, and I base this denial, Mr. President, in some degree upon the statements and admissions of men connected with the industry from its inception and to which I had occasion to advert some two years ago. The Senator from Nevada [Mr. NEWLANDS] declares that inasmuch as Cuba can lay down sugar in the United States at 2 cents and inasmuch as the beet-sugar companies can not manufacture sugar at any such price a duty is necessary, if the latter pursuit is to continue.

Mr. President, upon the assumption that these figures are correct the conclusion drawn by the Senator is obvious. Conceding for a moment for the sake of the argument that they are correct, let me ask what great calamity would result to this country if its hundred million people could secure this prime necessity of life for a trifle over 2 cents a pound? Think of the saving to them if, indeed, it were true that from an isle of the sea near to our shores this great blessing were possible, and think, Mr. President, of what could be accomplished by diverting the capital and the labor now connected with this highly-protected industry into other sources of desirable production. To my mind, those conditions are not at all undesirable, and I would welcome the day when every necessity of life essential to the existence of human kind could be reduced in proportion, so that they would in abundance be within the reach of every man, every woman, and every child in the Nation. It is to me a much more pleasing prospect than the levying of a tax upon every stick of candy in the baby fingers of every child in this country in order that these huge concerns with their millions may add to their vast possessions year after year.

But, Mr. President, I do not think the Senator from Navada knows, and I am sure that I do not, what the cost of Cuban sugar or of beet-sugar production in this country is. I know that Mr. Oxnard said in 1899 that with sugar at 4 cents a pound he could make enormous returns upon his proposed investment, and I am satisfied that he enlisted a good deal of capital upon the faith of that statement. I know that such a thing as the cost of a pound of beet sugar is impossible of definite calculation. You can get it, if you please, in one factory to-day, but the price in that very factory may vary to-morrow; you can get an average, if you please, in half a dozen factories; but to say that it is possible either in Cuba or in the United States to ascertain and fix a definite cost or an actual cost of sugar production is to make a statement which I think, Mr. President, it is impossible to support.

In all of the calculations that I have seen upon the subject—and I have seen a good many—I have discovered no allowance for by-products, no allowance for efficiency in the factory force or the lack of it, no allowance based on the sugar content of the beet, nor in the wear and tear, which is an essential factor in the matter of cost, nor have I ever been able to see a balance sheet showing the actual amount of expenditure and the actual amount of receipts, between which is the difference of profits, from which the cost can be intelligently calculated.

I recall, Mr. President, that when the Hardwick committee was in session the chairman demanded from some of the witnesses before that committee a statement of the cost of beet-sugar production, and Mr. Truman G. Palmer, then the expert and the representative of the beet-sugar companies, in writing upon the subject to Mr. Charles C. Hamlin, also a representative of the beet-sugar interests, said that there was no way out of compliance; but instead of calling witnesses to be examined

by the committee he thought it would be better to wait until the hearing was over and then issue a circular calling attention to it—a most disingenuous way, putting it mildly, of meeting a demand of the chairman of an important committee regarding a subject absolutely essential to a proper understanding of the situation.

Mr. President, I shall not take the time of the Senate in going in detail into this matter of the cost of production; but I assert now, as I asserted then, that whatever the effect may be in other sections of the country, the great arid and semiarid regions of the West, including California, the natural home of this industry, can produce beet sugar at an ample profit upon the capital actually invested without any protection whatever. Nature has furnished conditions there, Mr. President, which constitute the best possible protection and which legislation can not affect or destroy.

The sugar beet is a peculiar vegetable. In its initial stages of growth it needs a great deal of water; in its medium stages of growth it needs very little; during the sugar-forming period it needs none. Our system of irrigation enables us to regulate this demand of the plant so that at its various stages of growth and maturity it may be supplied with precisely the moisture that it needs. It is not there subject to the conditions of a more humid region, which is liable to periods of undue moisture and of undue drought. That element is the subject of artificial regulation. It needs constant sunshine; and out in that region there are from 300 to 320 days of sunshine every year. It needs cool nights, and at that altitude, more than a mile above sea level, the nights are always deliciously cool, however sultry the weather may be at midday.

Those conditions, Mr. President, will ultimately assert, indeed they are now asserting, themselves as against the industry in other sections. A good many factories have been built in some of the States farther east, in some of the humid States; built sometimes for purposes of speculation, sometimes for political reasons, as was the case of the factory in Iowa, which, according to the lobby hearings, was built more to affect and influence the attitude of the then senior Senator from Iowa, Mr. Allison, than to make sugar for the multitude. His State being interested in this great industry through the erection of a lonely plant, he would naturally want to protect it. Other great factories have been built in unfavorable sections and in the best of faith. They can not compete with the conditions to which I have adverted, even with a tariff that might be specially designed for their protection. Hence, I say, that in the natural progress of the development and growth of an industry these natural, necessary, and superior advantages must assert themselves, and in the course of time all of the production will be gathered into that region. Indeed, that gathering process has been in evidence for some time. A large number of the factories in my State have been transplanted from Michigan, from Wisconsin, and from Nebraska; a large number of those in other of the arid States have been transplanted from other sections in order to get the advantage, the absolutely necessary advantage, of these natural conditions.

To say, therefore, that these huge concerns, with their treasuries bursting, Mr. President, with millions, and which are dropsical with watered stock, need an extension for four years more of the duty of 1 cent per pound, or need it indefinitely, if they are to exist at all, does not comport with the actual conditions, and never did.

My distinguished friend from Nevada [Mr. NEWLANDS] declares that beet sugar is entitled to fair protection. He believes it, and he doubtless thinks that this bill gives fair protection if we should accept its provisions as it came from the House.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I do.

Mr. NEWLANDS. Mr. President, I think the Senator from Colorado will find that I insisted that this agricultural product should receive the same fair treatment as is received by other agricultural products, and inasmuch as almost all the agricultural products of the humid region are upon the dutiable list, it would be unfair to put this agricultural product, which is especially the product of the arid and semiarid regions, upon the free list. I did not say that it was entitled to protection.

Mr. THOMAS. Mr. President, I am very glad that the Senator from Nevada has corrected me, as I do not desire to misrepresent him. The note which I took during the course of his remarks is that "beet sugar is entitled to as fair protection as other agricultural products are." I was coming to that. I think the Senator, who has been in public life for a long time, knows that this so-called system of protection of purely agricultural products is the veriest of all the humbugs of protection.

Why, Mr. President, think of a protective duty in this country on potatoes and wheat and asparagus and eggs and other commodities, of which we produce an abundance and much of which we export. That is merely the sop, the tub, thrown to the farmer whale by the protectionist of the past, and, unfortunately, many of the farmers have been deceived and deluded into a false sense of security in consequence of it. They actually think it does them good. Why, during the consideration of the Canadian reciprocity bill we were face to face with the remarkable spectacle that the farmers of the United States were going to be ruined if we had reciprocity with Canada, and that the farmers of Canada were going to be ruined if they had reciprocity with America. That condition of things, Mr. President, absurd as it was, actually found a serious lodgment in many minds, notwithstanding the ruin so freely prophesied was due to the resulting prosperity and monopoly of trade in agricultural products by the other.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I do.

Mr. NEWLANDS. The Senator from Colorado will bear in mind, however, that the duties to which I referred upon the agricultural products of the humid region were not duties that were imposed upon them by a Republican tariff, but are the duties that are imposed by a Democratic tariff.

Mr. THOMAS. Does the Senator from Nevada mean to say that the Republican Party did not impose those duties?

Mr. NEWLANDS. They did, yes; but they were maintained by the Democratic Party, and I insist——

Mr. THOMAS. They did impose those duties, and we did not have the courage of our convictions and remove them all. They perform no function save to encumber the statute books.

Mr. WILLIAMS. We reduced them, however, by about 50 per cent.

Mr. THOMAS. That is true.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado has the floor. Does the Senator yield; and if so, to whom?

Mr. BORAH. Mr. President——

Mr. THOMAS. As I said before, these were designed to flatter the credulity of the farmers, and, having a great voting agricultural population, we partially continued that protection, because we were unable, in view of our individual differences, to make effective all the reforms in tariff legislation which some of us wanted to make.

Mr. NEWLANDS. Mr. President, will the Senator from Colorado permit me to interrupt him there?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. Yes.

Mr. NEWLANDS. Just right there, in connection with what the Senator says—and I admire the Senator's candor; I think he has very properly commented upon this action—I insist upon it, that in whatever method we do act the action shall be fair and proportionate as between different sections of the country.

Mr. THOMAS. In other words——

Mr. NEWLANDS. If we conclude to remain upon a protective basis as to certain agricultural products in the humid regions, where, perhaps, votes are necessary, fairness demands that we shall not drift the agricultural products of another region absolutely to the free list.

Mr. THOMAS. Mr. President, the Senator's admission——

Mr. BORAH. Mr. President——

Mr. THOMAS. Just a moment and I will yield. The Senator's position virtually is that because it may seem necessary to protect the potatoes of the Wisconsin or the Michigan farmer, who has a hard time to make a living at all, in order to be fair it is equally necessary that we should protect these huge aggregations of capital which manufacture beet sugar and who now have more money than they know what to do with.

Mr. NEWLANDS. Mr. President——

Mr. THOMAS. I must yield now to the Senator from Idaho.

Mr. NEWLANDS. I wish the Senator would let me say right there——

The PRESIDING OFFICER. The Senator from Colorado has the floor, and declines to yield.

Mr. THOMAS. With the consent of my friend from Idaho, I will give the Senator from Nevada another chance.

Mr. NEWLANDS. I wish the Senator from Colorado would distinguish between the great aggregations of capital that simply put an agricultural product into shape for consumption and the great agricultural industry itself that produces that product upon the farm.

Mr. THOMAS. I am coming to that.

Mr. NEWLANDS. I will join with the Senator from Colorado in any movement that will prevent extortion on the part of great aggregations of capital, that will prevent unjust discrimination as between sections regarding freight rates, and so forth, but I am talking about the basic industry. You can not maintain this industry unless you have beets; and if you produce beets you must have sugar factories, of course; and, however obnoxious they may be to our ideas of monopoly, our prejudice against the monopoly which produces the sugar product should not prevent us from dealing fairly with the basic industry itself.

Mr. THOMAS. Mr. President, with the permission of the Senator, I will say that I am coming to that feature of the situation pretty soon; but I have reached the point where I can not distinguish between the farmer who waters his stock and may therefore need protection and the beet company that waters its stock because of protection.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield to the Senator from Idaho.

Mr. BORAH. In the interest of the rule and precedent, I ask that the Senator from Colorado be permitted to proceed by unanimous consent.

The PRESIDING OFFICER. The Senator from Colorado will be allowed to proceed by unanimous consent.

Mr. THOMAS. Mr. President, I am very grateful to my friend from Idaho, but if I properly understand the present parliamentary situation, the recent appeal of the Senator from Mississippi [Mr. WILLIAMS] from the ruling of the Chair upon that subject has smashed all previous records and leaves us at liberty to conduct ourselves as we please.

The PRESIDING OFFICER. The present occupant of the Chair feels that he is bound by that rule, but, by unanimous consent, the Senator may proceed.

Mr. THOMAS. Mr. President, the Senator from Nevada is concerned, and very properly so, for the beet raiser. So am I. He is the man whom I would fain protect, if protection is necessary, and he needs it, but he needs it from the refiners and not from the Congress of the United States; he needs it from the only customer that he has, not from legislation that we may enact; and if we enacted it, Mr. President, it would not amount to much for him, because, as I have stated, all, or nearly all, such legislation designed for the ultimate producer fails usually to realize the hopes of its advocates.

Now, my friend the Senator from Nevada perhaps does not know that, although the price of sugar has advanced from about 4 cents to nearly 8, and will go to 10 cents, although the surpluses of the refiners have advanced from $2,000,000 and $4,000,000 and $5,000,000 to $5,000,000, $10,000,000, and $20,000,000; that, although their common stock has advanced from $4 and $10 and $15 up to $100 and $150 and $205 per share, there has been no increase in the prices paid to the Colorado farmer for his beets, and not very much anywhere. The farmer of my State makes to-day what he did before. Rising markets mean nothing to him.

In order to demonstrate this, I shall read a couple of letters which I have received from gentlemen fully acquainted with the conditions in my State. I wanted first-hand information about it before making the statement, and so I wrote them. One is from Mr. Albert Dakan, the attorney of the Beet Growers' Association. His letter is dated March 24, and he says:

> Answering yours of the 20th instant, there has been no advance made to the beet grower of northern Colorado by the Great Western Sugar Co. in its 1916 contract. The new contract is the same in price paid for beets as that of 1915.

The other is from Mr. John A. Cross, for many years sheriff of his county, afterwards State senator, and at present postmaster at Loveland, Colo., where one of the great factories of the Great Western Co. is situated. His letter is dated March 23, and is as follows:

> DEAR FRIEND THOMAS: Yours received to-night. The Great Western Sugar Co.'s contracts for beets for 1916 are for just the same price that they paid last year; and they paid their laborers at the factory during the last campaign the very lowest wages that they could get men to work for, and we shorthanded much of the time, and worked their men very hard. They keep their expenses for labor and production down to the very lowest possible point, while they are making their millions every year.

O Mr. President, if my friend the Senator from Nevada could enact a system of tariff legislation which would be carried past the manufacturer and benefit the man who toils in the field, so that it might shower its blessings upon his product, I would gladly join him; but this sugar tariff is all absorbed long before it reaches the grower.

Now, what is the spectacle? The farmers, working from sunrise to sunset, during the storm and heat and changeable weather conditions, with the expense of living rising in all directions, with fair knowledge of the fact that the company which constitutes his only customer is prospering as such institution never prospered before, must content himself with practically the same compensation, and that barely sufficient to pay the actual cost of production. My recollection, Mr. President—I may not state it accurately—is that it requires about 12 tons of 15 per cent beets to the acre to pay the cost of the farmer's production. What he gets above and beyond that is profit; but that does not take into consideration interest upon his capital or the value of his farm.

Mr. President, paralleling these conditions here, let me turn for a moment to those which prevail in the countries at war. The Government of France has fixed the price which the farmer shall receive for beet roots at $9.65 per ton. The average here is $5.50. In Austria-Hungary the price is fixed at $8.12 per ton minimum. In Belgium—even in poor, desolated Belgium—the German authorities have stipulated a price of $8.49 per ton. Our Department of Agriculture shows that the average price which the farmer receives in this country is $5.54, less than the average paid in Germany prior to the war; and yet these concerns, bursting and bulging with enormous and incalculable profits, declare that they can not exist unless we continue the protective duty of 1 cent a pound, which means an added cost of a necessity of life of $86,000,000 per year to the consumers of this country.

Mr. President, I want to advert now to a phase of the subject of labor cost which I should like my friend, the junior Senator from Iowa [Mr. KENYON], to hear, but unfortunately he is not in the Chamber. He has taken a great and laudable interest in the antichild labor bill. He has given the subject great consideration, and is the chief advocate of that measure in this body. His whole heart is in the subject, but his attention has been directed so far, chiefly if not entirely, to the conditions of child labor in the factories of the country, and particularly in the factories of the South. I want to emphasize the fact that, notwithstanding the profits of this industry, notwithstanding its great and unexpected prosperity, child labor is conspicuous in the beet fields of Colorado. It is one basis of productive energy to as great, if not a greater, extent than before the war, and certainly to as great a degree as child labor has ever been exploited in the Southern States.

I shall read, Mr. President, an article from a newspaper, the Denver News, which is entirely devoted to the features of the House bill now under consideration, and which does not approve the position which I, as a Senator from Colorado, occupy toward it.

A few days ago the Rocky Mountain News—I think it was the 12th of March—published an article entitled "Labor in fields retards pupils. Child-labor committee report estimates 5,000 children work in beet industry."

That is in my State, but one of the many Commonwealths engaged in this industry. I will read the article:

> Five thousand children are reported to be working in the beet fields of Colorado during the growing season of each year, according to figures given out last week by the national child-labor committee. School-teachers and the national child-labor committee, as well as other authorities, have been gathering information on this subject for some years, a part of which has been made into reports.
>
> The committee declares that the children are overworked in the fields, so much so that their progress in their studies is seriously hampered.
>
> The children are used principally in caring for the beets while they are growing. The farmer who contracts with the beet-sugar factory to grow a certain number of acres is told that he must place a proportionate number of persons upon the tract. If he has 20 acres, he will require a certain number of laborers; if 40 acres, he must have twice the number. The work of thinning, cultivating, topping, and irrigating the beets is done by contract, the head of a family being paid a certain price per acre—from $18 to $20—for the work.

The first subhead is:

> SIX-YEAR-OLD CHILDREN WORK.
>
> Russian men usually contract to do the work, and when the farmer looks about for some one to engage for the summer, he inquires for a family with the number of members to correspond with that required for the work. Ordinarily the contract is made for a father, mother, and children to make up the required number.
>
> The age of the children is said to be taken into consideration under the contract, and those of tender years are not expected to do any of the field work. But the real working of the system is declared, both by teachers in the Denver public schools and by others who have investigated the matter, to be that the children of 6 years are sent into the fields. Those from 8 to 10 are said to be employed constantly during the weeding, thinning, and topping seasons.
>
> An investigator states that he had found the practice has been for work to commence in the fields as early as 3 o'clock in the morning, when the first sign of day begins to peep in from the east.

Six-year-old children at 3 o'clock in the morning begin their daily toil.

The next subhead is:

SEVENTEEN HOURS OF LABOR.

At 7 o'clock the workers have breakfast, sometimes going to the "Russian house" for it and sometimes it being served in the fields, so that the labor does not cease. Again at noon the workers are fed in the same way, being allowed a half hour for that purpose. They take their supper at about 6 o'clock and return to their labors, staying out in the fields until 8 o'clock at night, or even later.

The average hours of work for children in the fields is declared to be about 17 during the busiest seasons.

One abuse of the system that investigators say they have discovered results in a charge of peonage. This is that if the family desiring to take a contract for the handling of the beets upon a farm is not as large as required under the rules, the head of the house hires children from other families.

Sometimes the farmer does the managing himself, hiring men, women, and children to do the actual labor.

I am satisfied, Mr. President, that this statement does not apply to the American farmer. A great many of the farm workers in the beet field, who are emigrants from Russia, Bohemia, and other countries, having acquired money sufficient to make an initial payment, purchase lands of their own and engage largely in the work of raising beets and work their children upon their farms. Such is my information.

The work of thinning and weeding is done on the knees, usually in soil that was irrigated the day before or maybe only a few hours before, and is wet and cold.

Denver teachers who have had charge of children used in the fields during the summer state that the work keeps the youths out of school during two months of the year set apart for their education. The teachers also say that children come in from the fields so worn out as to be unable to do satisfactory studying for several weeks. The effect is that they practically lose about four months of the school year, and are kept in grades twice as long as those who are able to attend regularly.

One teacher in the Denver schools received the following letter from a pupil who had been hired from a city family to do work in the fields during the summer:

"DEAR TEACHER: It is rainy to-day so I could write you a letter. We was working very, very hard the last two weeks, and we did work last Sunday, too, because beets grow so fast.

"We get up in the morning 3 o'clock every day and we work till 12 o'clock, then we have our dinner about half an hour, and then we go to work till 7.15, so we worked about 15 or 16 hours. Oh, it's too hard! I wish I didn't have to go any more to work beets and could spend my time in school. School is what I like, but I have to make my living to work so hard."

The next subhead is:

WALKS 80 MILES ON KNEES.

"Four of us worked 60 acres of beets, and in this month I have to walk on my knees 80 miles, and thin the beets at the same time, and to hoe that 80 miles, it takes me to do it about 34 days. I get $6 an acre to block and thin, so I make $90. But it's too hard to walk that 80 miles on your knees on hot summer days. I get sleep about six hours a day, and you know it isn't enough for that kind of job.

"Soon as I lay in a bed I am sleeping in about three minutes, and I never wake up until our clock strikes to alarm. I am glad it's raining to-day so I could rest a little. I am going to make our dinner now, and after dinner I am going to sleep.

"I tell you everything about hard work when I come to Denver."

The report of the National Labor Committee says that the children between 7 and 15 employed yearly in the sugar-beet fields of Colorado, according to estimates made by the superintendent of schools, lose two or more school months as a result.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Ohio.

Mr. THOMAS. I yield to the Senator.

Mr. POMERENE. What discount is given by the sugar mills out there upon the sugar which is consumed by these little children?

Mr. THOMAS. Alas! Mr. President, no discount is given, either to them or to anybody else. These companies are absolutely democratic when it comes to discounts. All consumers look alike to them.

SCHOOL WORK SERIOUSLY AFFECTED.

That the loss of schooling seriously affects the progress of the beet workers in school is shown by the fact that the average per cent of retardation among the beet workers is 53 per cent as compared with an average of 20 per cent for the nonbeet workers, says the report.

The work the children do in "pulling" and "topping" the beets involves great physical strain when continued for 12 hours a day throughout the harvesting season.

The report states that compared with the total number of persons engaged in beet culture, the number of children under 14 employed is small, and that therefore the industry would not suffer if they were eliminated.

The compulsory education law is not enforced in the beet sections, and the report recommends the reorganization of the school system on a county unit instead of a district basis to secure enforcement of the law by removing it from local influence, and thus control the employment of children in the beet fields

Mr. SMOOT. Who is the author of the letter? Will the Senator say?

Mr. THOMAS. This is taken from the Rocky Mountain News of March 12. It is attributed to "inquiries made by the national child-labor committee of school teachers as well as other authorities."

Mr. SMOOT. I do not know how it is in Colorado or the other States, but I do know that the laws in my State compelling children to go to school are absolutely enforced.

Mr. THOMAS. Mr. President, of course I accept the Senator's statement; and yet I think he will admit that children are employed to work long hours in the beet fields of Utah just as they are in the other beet-sugar States of the West.

Mr. SMOOT. Mr. President——

Mr. SMITH of South Carolina. Mr. President——

Mr. THOMAS. I yield to the Senator from South Carolina. I will yield to the Senator from Utah in just a moment.

Mr. SMITH of South Carolina. I simply wanted to ask the Senator from Colorado if the supervision of these children is included in the Keating child-labor bill?

Mr. THOMAS. The Senator must answer his own question, because I think he knows more about that bill than I do, as I have not yet read it. My impression, however, from the discussion which accompanied the remarks of the Senator from Iowa [Mr. KENYON] is that it does not include agricultural laborers.

I now yield to the Senator from Utah.

Mr. SMOOT. I will simply say to the Senator, in answer to what he has stated, that the children in the State of Utah do work in the beet fields for the thinning of beets only. It is the easiest work that a child can do. It is the most healthy work that a child can do, because he is out of doors. They are all paid so much per row. I have never heard anybody, either a parent or anyone else in the State, complain of the work; but I do know that it is a most profitable work for a child, and has done a great deal of good toward keeping children off the street, and has brought in a fair income to the child; and in many cases it is the means of starting a savings account that grows each year.

Mr. THOMAS. Will the Senator inform me how many hours the children work in his State?

Mr. SMOOT. I do not think they work over eight or nine hours a day. Mr. President—none that I know of.

Mr. THOMAS. I am glad to know that.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Ohio?

Mr. THOMAS. I do.

Mr. POMERENE. Is the number of hours limited by statute in the Senator's State as to child labor on the farms?

Mr. SMOOT. No; not on the farms.

Mr. POMERENE. Or in the beet fields?

Mr. SMOOT. But I will say this to the Senator: In our State the children mostly help the father upon the farm. So many of them are beet growers. They all have small patches to cultivate. There are no great, large acreages of beets grown in the State of Utah. Some of them have an acre, some of them 2, hardly any of them above 10 acres. The father takes the children with him during the thinning of the beets, and the children thin the beets while he is doing the other necessary hard work in connection with the cultivation of the beets.

Mr. THOMAS. Mr. President, I am very glad to learn that the State of Utah seems to be a shining exception to this situation, and I wish its example could be copied, and copied at once, by the adjoining States. In my State, and I think in some of the others, the work to which I am now referring is done largely by Mexicans and their children, by Russians and their children, by Bohemians and their children. They work in colonies, living somewhere in the towns during the winter season, and exploiting the beet fields in companies during the summer.

As to the extent to which this practice goes, I am unable to say; but I feel sure that in the State from which I hail, which yields one-third of all the beet sugar produced in the United States, whose refiners are to-day the owners of more millions than they ever imagined in their wildest dreams of accumulation, do not stand very well before the American public in pleading for a continuation of this tax, when it is evident that they not only pay the farmer no more for his beets than they did before, they not only do not pay their factory workers any more than they did before, but they obtain the benefit of, if they are not directly responsible for, the exploitation of little children working 14 to 17 hours a day in the production of the crop which is essential to their industry. They do not appeal to me, Mr. President, in the light of these facts, even if it were necessary that we should tax 100,000,000 people indefinitely, to the end that they may continue to prosper.

I have said more perhaps than I had intended to say upon this subject. I felt it my duty to give expression to my views with regard to the expediency of this proposed legislation, largely because I represent in small degree that section of the

country which is interested in the subject. I believe that these facts should be laid before the public in order that they may properly judge of the wisdom or propriety of our action in postponing the operation of this law.

Mr. President, the enormous profits which these companies are reaping from our people through the agonies of Europe, and the consequent change of business conditions, pay but little of the taxes levied for the support of the States where they operate, and practically none at all upon their surplus. Those with which I am familiar are organized in the State of New Jersey, where their tax is regulated with regard to the amount of their capitalization. The taxes which they pay in my State are paid upon their visible property. I think the only tax which they pay upon their vast accumulations of money is the 1 per cent exacted by our Federal income-tax law.

We need revenue, Mr. President, and need it badly. We are going to expand the area of our expenditures, and therefore we shall be obliged to increase taxation far beyond its present extent. I believe that a tax of 5 per cent upon these enormous profits, or 10 per cent, if you please—a tax upon the accumulated wealth of the country—is far more just and far more desirable at this supreme moment in the national affairs than the extension of a tax upon an absolute necessity of life, only one half of which we realize; the other half going to swell the millions of these big and favored institutions.

I would that it were possible to-day to substitute for the Senate bill an increase of the income tax upon these huge concerns, and thereby compel wealth to pay a more equal portion, a more just portion, of the revenues needed in the operations of our Government. The committee of which I am a member have decided otherwise. With much reluctance, I have accepted the compromise which they have offered; and if I cast my vote at all, I shall feel compelled to support it.

Mr. CURTIS. Mr. President, the chairman of the committee announced in his opening statement as one of the reasons for continuing the law the fact that the Republicans had placed sugar upon the free list in 1890. I desire to call the Senator's attention to the fact that while sugar was placed upon the free list in the act of 1890, yet, to encourage the production of beet, sorghum, or cane sugar in this country, a bounty of 2 cents a pound was to be paid upon beet, sorghum, or cane sugar produced within the United States. In addition to that there was a provision to secure reciprocal trade with countries producing and exporting sugar, molasses, coffee, and other products, and if any country failed or refused to enter into satisfactory arrangements with this country the importation of sugar from that country should pay a duty.

In 1890 the production of beet sugar in this country amounted to only 2,353,568 pounds, while the production in 1915 amounted to 1,328,000,000 pounds. I think the great increase in the production of beet sugar under the protective system of the Republican Party is evidence of what may be done with that industry if it is properly protected.

I do not blame the other side for continuing this law for four years. I should be pleased if the majority would remove the limitation and agree to the House bill which repeals the law, and, for one, I shall support the House provision in preference to the Senate provision. But I am not criticizing the Senators on the other side, because they need the revenue, and need it badly.

The amount of duty collected on sugar each year has been a great addition to the revenues of the Government. In 1914 the amount collected was about $61,000,000, while the sugar imported that year upon which a duty was collected amounted to about 5,000,000,000 pounds. There were over 2,000,000,000 pounds of sugar produced in the United States and nearly 2,000,000,000 pounds were brought from the noncontiguous territories of the United States—Porto Rico, Hawaii, and the Philippines. When it is remembered that the ordinary receipts of the Government for the year ending June 30, 1915, including over $39,000,000 corporation income tax, over $41,000,000 individual income tax, and $52,000,000 emergency or war tax, amounted to over $697,000,000, and the ordinary disbursements for that year amounted to $731,000,000, which left a deficit for the year of over $33,000,000, it is not surprising that the Democratic majority should desire to have the benefit of a duty on sugar. They need it, and need it badly.

It must be remembered that the deficit for the fiscal year to date is nearly $53,000,000, and it is estimated that it will amount to over $64,000,000 by June 30, 1916; and it is estimated by the department that the excess of appropriations, exclusive of deficiencies and miscellaneous, over estimated revenues for the year ending June 30, 1917, will amount to over $366,000,000, and the increased estimates for 1917 over the same for 1916 amount to more than $195,000,000. It will be noticed that the deficiencies have been excluded from the estimates by the department; and you will agree that it is wise to exclude them when you remember that this administration has already presented three emergency deficiency measures at this session of Congress, when heretofore one such measure has usually answered the purpose of the department at one session.

Personally I am very sorry that the Senate Committee on Finance amended the House bill and limited its operation to four years. I should like to see a duty on sugar, for I believe in protecting that industry, and believe that if properly protected it will not be long until all the sugar consumed in the United States will be produced in this country. The great increase in the production of beet sugar justifies this prediction. Ten years ago there was produced in the United States only about 600,000,000 pounds of beet sugar, while in 1914 the production amounted to over 1,000,000,000 pounds.

The chairman of the committee stated that this additional revenue was needed, and left, or at least tried to leave, the impression that it was because of the great decrease of revenues collected and the conditions brought about by the war. An examination of the reports of the Secretary of the Treasury will show that under the change the loss in revenue from customs in 1915, as compared with 1913, was only $109,000,000, while there was collected in corporation income tax, individual income tax, and emergency or war-revenue tax $133,262,884 in the year 1915. It seems to me that, instead of laying this matter upon the war, Senators on the other side ought to be honest and say that it is brought about by the mistake they made when they wrote the Underwood law upon the statute books of this country.

I shall vote for the House bill because I believe in the American system of protection; and if the Senators on the other side were fair in their contention instead of voting for this measure they would do what was suggested by the Senator from Colorado a few moments ago and lay the duties upon some other articles. I congratulate the majority in coming over at least to four years of protection; and I hope that before the vote occurs to-morrow they will agree to the House bill and let it go through instead of supporting the Senate amendment, which continues the duty on sugar for four years.

Mr. SMOOT obtained the floor.

Mr. CURTIS. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Husting	Oliver	Smith, Ga.
Brandegee	Johnson, Me.	Overman	Smith, Mich.
Broussard	Jones	Owen	Smoot
Bryan	Kenyon	Page	Sterling
Burleigh	La Follette	Phelan	Sutherland
Chamberlain	Lane	Pittman	Swanson
Chilton	Lewis	Poindexter	Thompson
Clapp	Lippitt	Pomerene	Tillman
Clark, Wyo.	Lodge	Reed	Underwood
Colt	McCumber	Robinson	Vardaman
Curtis	Martin, Va.	Saulsbury	Wadsworth
Gallinger	Martine, N. J.	Sheppard	Warren
Hardwick	Myers	Sherman	Williams
Hitchcock	Nelson	Shields	Works
Hollis	Newlands	Simmons	
Hughes	Norris	Smith, Ariz.	

Mr. SMITH of Michigan. I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND], who is detained from the Senate on account of illness in his family. I should like to have this announcement stand for the day.

The PRESIDING OFFICER. Sixty-two Senators have responded to their names. A quorum is present.

Mr. SMOOT. Mr. President, the unanimous-consent agreement provides that the vote shall be taken not later than 5 o'clock to-morrow upon the pending bill. I wish to say to the Senator from North Carolina that I understand there are some Senators who desire to speak to-morrow. I do not particularly care if I speak this afternoon or not, or whether I speak at all. The Senator from Massachusetts [Mr. LODGE] I think wants to be heard, and we shall have ample time to-morrow to dispose of the bill. I ask unanimous consent that the Senate proceed to the calendar under Rule VIII and consider bills to which there is no objection.

Mr. SIMMONS and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. WILLIAMS. I rose to respond to the request for unanimous consent.

Mr. SIMMONS. I wish to state that if there is any Senator on either side of the Chamber who desires to speak upon the pending bill I will object to the request of the Senator from Utah, but if there is no Senator who desires to speak I would not feel disposed to object.

Mr. WILLIAMS. If the Senator from Utah will ask unanimous consent simply to take up the calendar, I shall not object, but if he asks unanimous consent to consider only such bills as are upon the calendar that no Member shall choose to object to I shall object to that request.

Mr. SMOOT. I wish to state to the Senator from Mississippi that there are 18 pages of bills now on the calendar to be considered under Rule VIII. At least 99 per cent of them could probably be passed this afternoon if we proceed to the calendar under Rule VIII and consider only unobjected cases, but if we proceed under Rule VIII the very first bill on the calendar is a bill to provide for stock-raising homesteads, and for other purposes, and no doubt it would take the afternoon to dispose of that bill and perhaps longer.

Mr. WILLIAMS. That is not the effect of my objection. My objection to this method of proceeding is that whenever there is any bill of any real importance upon the calendar to which one, two, three, four, or five Senators may object, but to which, it is hoped, a majority of the Senators would not object, and which might be passed, it is passed over from day to day indefinitely and is never considered, and the only measures that are taken up are local bills of one sort and another in which no one is interested except those in the neighborhood or from the particular State or section, and they are gotten out of the way, while if a bill is of some importance and you get it off the calendar you have something off the calendar finally. We ought, in fact, in this body to have one calendar day every week or every two weeks, at any rate, for the consideration of nothing but the calendar, and I hope the Committee on Rules, before many weeks, will report such a rule, but I shall object to merely the consideration of such bills as are not objected to. I think the power of one man in the Senate is too extensive, anyhow, and I do not care to accentuate it.

Mr. OVERMAN. If it is the Senator's idea to get a bill through to which Senators object, we would not make any headway with the calendar. We would continue just on that one bill.

Mr. WILLIAMS. If we are to go to the calendar this afternoon, it ought to be for the consideration of some of the important bills that are upon the calendar.

Mr. SMOOT. If the Senator from Mississippi is going to object there is no need of discussing it further. I wish to say to the Senator that many bills on the calendar must go to the House and be passed by the House, and if bills to which there is objection are held back here there may not be any action on those measures to which there is no objection, and I fear the legislation will fail in the House.

Mr. WILLIAMS. I will not object to them when they are reached in regular order.

Mr. SMOOT. Do I understand that the Senator from Mississippi objects?

Mr. WILLIAMS. I think the Senator understands it.

The PRESIDING OFFICER. Objection is made.

Mr. SIMMONS. I understand that the Senator from Massachusetts is going to take the floor.

Mr. LODGE. No; I have no desire to make a speech on the sugar bill. At the appropriate time I intend to offer as an amendment a provision in regard to dyestuffs. I shall not debate it at any length. I will offer that amendment now and ask that it be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. It is proposed to amend the bill by inserting the following:

That on and after the day following the passage of this act there shall be levied, collected, and paid upon the articles named herein when imported from any foreign country into the United States or into any of its possessions, except the Philippine Islands and the islands of Guam and Tutuila, the rates of duties which are herein prescribed, namely:

DUTIABLE LIST.

First. All products of coal, produced in commercial quantities through the destructive distillation of coal or otherwise, such as benzol, toluol, xylol, cumol, naphthalin, methylnaphthalin, azenaphten, fluorin, anthracene, phenol, cresol, pyridin, chinolin, carbazol, and other not specially provided for and not colors or dyes, 5 per cent ad valorem.

Second. All the so-called "intermediates," made from the products referred to in paragraph 1, not colors or dyes, not specially provided for, 3½ cents per pound and 15 per cent ad valorem.

Third. All colors or dyes derived from coal, 7½ cents per pound and 30 per cent ad valorem.

FREE LIST.

Fourth. Acids: Acetic or pyroligneous, arsenic or arsenious, chromic, fluoric, hydrofluoric, hydrochloric or muriatic, nitric, phosphoric, prussic, silicic, sulphuric or oil of vitriol, and valerianic.

Fifth. Coal tar, crude, pitch of coal tar, wood or other tar, dead or creosote oil.

Sixth. Indigo, natural.

SEC. 2. That paragraphs 20, 21, 22, and 23 of Schedule A of section 1 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved 9 o'clock and 10 minutes p. m. October 3, 1913, and paragraphs 387, 394, 452, and 514 of the "free list" of section 1 of said act, and so much of any heretofore existing law or parts of law as may be inconsistent with this act are hereby repealed.

Mr. LODGE. I move that as a new section to be added to the amendment proposed by the committee.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SMOOT. I move that the Senate proceed to the consideration of Order of Business 222 on the calendar, being the bill (S. 4856) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SIMMONS. Mr. President, I wish to inquire of the Senators on the other side of the Chamber if there is any objection to our proceeding to vote upon the amendment to the sugar bill and upon the bill now. Under the unanimous-consent agreement we are to vote not later than 5 o'clock to-morrow. I assume that we could consistently with the rule vote now, and I do not see any reason, if no Senator is ready to speak, why the matter should be put over until to-morrow in order to enable Senators to speak. Why should we not vote now?

Mr. SMOOT. I understand that there are one or two Senators who intend to speak briefly on the bill, but they are not here to speak now and they will be ready to speak to-morrow. Of course the discussion of the Army bill could be carried on until 5 o'clock to-morrow, but I want to assure the Senator that there is no intention whatever to delay the passage of the bill. The only object that I have in the world is to occupy the time of the Senate profitably during the afternoon in passing bills upon the calendar.

Mr. SMITH of Georgia. Mr. President, it does seem to me, if we intend to pursue that course, we should begin at the top of the calendar, and dispose of bills which are near the top of the calendar first.

Mr. SMOOT. We would not dispose of them this afternoon.

Mr. SMITH of Georgia. It would begin the disposition of them.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The question is on the motion of the Senator from Utah.

Mr. WILLIAMS. Would a motion to proceed to the calendar take precedence of the motion made by the Senator from Utah to pick out a particular bill on the calendar and proceed to its consideration?

The PRESIDING OFFICER. The Chair will inquire of the Senator from North Carolina [Mr. SIMMONS] if he proposes to lay aside what is known as the sugar bill?

Mr. LODGE. That is not the unfinished business.

Mr. SIMMONS. That is not necessary, I think, because under the unanimous-consent agreement we shall have to vote on the bill to-morrow evening not later than 5 o'clock.

The PRESIDING OFFICER. The motion of the Senator from Utah is first in order.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry. Does not a motion to proceed to the consideration of the calendar take precedence of a motion to pick out a particular bill on the calendar out of its order and proceed to its consideration?

The PRESIDING OFFICER. The Chair holds that the motion of the Senator from Utah is first in order.

Mr. WILLIAMS. Then I offer as a substitute for the motion of the Senator from Utah a motion that the Senate proceed to the consideration of the calendar.

Mr. SMOOT. That motion can not be made under the rule.

The PRESIDING OFFICER. The motion of the Senator from Mississippi can not be entertained, it being against the rule. The question is on the motion of the Senator from Utah.

Mr. CHAMBERLAIN. Mr. President, a parliamentary inquiry. The motion will not have the effect to displace the unfinished business?

The PRESIDING OFFICER. The Chair understands that it does not.

Mr. CHAMBERLAIN. I have no objection, then.

Mr. WILLIAMS. Is it not in order to substitute for the motion of the Senator from Utah a motion to proceed to the calendar?

The PRESIDING OFFICER. The Chair thinks not, under the rules of the Senate.

Mr. SMITH of Georgia. Mr. President, I suggest the absence of a quorum.

Mr. CLAPP. Mr. President, a point of order. There has been no business transacted since the last call.

The PRESIDING OFFICER. No business having been transacted since the last call of the roll, the question raised by the Senator from Georgia can not be entertained.

Mr. WILLIAMS. Does the Chair rule that it is not in order for me to substitute for the motion of the Senator from Utah a motion to proceed to the consideration of the calendar?

The PRESIDING OFFICER. Under the rules the motion of the Senator from Mississippi is not in order until the motion of the Senator from Utah is disposed of.

Mr. WILLIAMS. Even to substitute one bill for another?

The PRESIDING OFFICER. The Chair thinks that under the rules of the Senate that can not be done. The question is on the motion of the Senator from Utah.

Mr. WORKS. Mr. President, a parliamentary inquiry. I understand the unfinished business was laid aside for the sole purpose of considering the sugar bill. If that be so, I make the point of order that we should go back to the consideration of the Army bill.

The PRESIDING OFFICER. The Army bill was laid aside, and it is the unfinished business. The question is on the motion of the Senator from Utah. [Putting the question.] The Chair is in doubt.

Mr. SMOOT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. For that reason I withhold my vote.

Mr. JOHNSON of Maine (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. GRONNA]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN]. As he is absent, I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Maryland [Mr. LEE] and vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. He is absent on important business, and I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from New Jersey [Mr. HUGHES], and I vote "nay."

The roll call was concluded.

Mr. JOHNSON of Maine. I transfer the pair which I have heretofore announced to the junior Senator from Nevada [Mr. PITTMAN], and I vote "yea."

Mr. BRYAN (after having voted in the negative). I transfer my pair with the junior Senator from Michigan [Mr. TOWNSEND] to the junior Senator from Tennessee [Mr. SHIELDS] and allow my vote to stand.

Mr. LEWIS. I wish to announce the absence of the Senator from New York [Mr. O'GORMAN], he having been called to New York on official business.

Mr. CHILTON. I have a pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Indiana [Mr. KERN] and vote "nay."

Mr. DILLINGHAM (after having voted in the affirmative). I inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The PRESIDING OFFICER. The senior Senator from Maryland has not voted.

Mr. DILLINGHAM. Then I will withdraw my vote, having a general pair with that Senator.

Mr. OWEN. Has the Senator from New Mexico [Mr. CATRON] voted?

The PRESIDING OFFICER. He has not voted.

Mr. OWEN. I withhold my vote, being paired with that Senator.

Mr. CURTIS. I wish to announce that the Senator from New Mexico [Mr. CATRON] is paired with the Senator from Oklahoma [Mr. OWEN];

The Senator from Delaware [Mr. DU PONT] with the Senator from Kentucky [Mr. BECKHAM];

The Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 36, nays 24, as follows:

YEAS—36.

Borah	Curtis	Martine, N. J.	Simmons
Brandegee	Johnson, Me.	Nelson	Smith, Mich.
Broussard	Jones	Norris	Smoot
Burleigh	Kenyon	Oliver	Sterling
Chamberlain	La Follette	Page	Sutherland
Clapp	Lane	Poindexter	Thompson
Clark, Wyo.	Lippitt	Pomerene	Wadsworth
Colt	Lodge	Saulsbury	Warren
Cummins	McCumber	Sherman	Works

NAYS—24.

Bryan	Martin, Va.	Sheppard	Swanson
Chilton	Overman	Shields	Taggart
Hardwick	Phelan	Smith, Ariz.	Thomas
Hollis	Ransdell	Smith, Ga.	Tillman
Husting	Reed	Smith, S. C.	Vardaman
Lewis	Robinson	Stone	Williams

NOT VOTING—36.

Ashurst	Fall	James	Owen
Bankhead	Fletcher	Johnson, S. Dak.	Penrose
Beckham	Gallinger	Kern	Pittman
Brady	Goff	Lea, Tenn.	Shafroth
Catron	Gore	Lee, Md.	Smith, Md.
Clarke, Ark.	Gronna	McLean	Townsend
Culberson	Harding	Myers	Underwood
Dillingham	Hitchcock	Newlands	Walsh
du Pont	Hughes	O'Gorman	Weeks

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4856) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

It proposes to pension the following persons at the rate given:

Nettie Johnson, widow of John W. Johnson, late of Company F, One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, $12 per month.

John George Bauer, late of Company G, Fifth Regiment Iowa Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Corda P. Gracey, widow of Samuel L. Gracey, late chaplain Sixth Regiment Pennsylvania Volunteer Cavalry, and former widow of Harrison O. Pratt, late of Company M, First Regiment Massachusetts Volunteer Heavy Artillery, $12 per month.

Elizabeth Propson, widow of John Propson, late of Company I, One hundred and twenty-eighth Regiment New York Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Sarah E. Marsh, widow of Charles H. Marsh, late of Company D, First Regiment Connecticut Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Cecilia Murphy, widow of Charles Murphy, late of Battery M, Third Regiment New York Volunteer Light Artillery, $20 per month in lieu of that she is now receiving.

Andrew H. Nichols, late of Company C, Second Regiment Connecticut Volunteer Heavy Artillery, $36 per month in lieu of that he is now receiving.

Mary E. Norton, widow of Silas M. Norton, late of Company K, Sixteenth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Ann Odell, widow of Thomas Odell, late of Company K, Twentieth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

William R. Latimer, late of Company F, Fourteenth Regiment Connecticut Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Rebecca L. Lapaugh, widow of John D. Lapaugh, late of Company C, Sixteenth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Lide Smith, widow of Albert G. Smith, late of Company F, Fifty-second Regiment Illinois Volunteer Infantry, $12 per month.

Alice R. Hutchinson, widow of Henry A. Hutchinson, late of Company B, Eleventh Regiment Rhode Island Volunteer Infantry, $12 per month.

Mary Pritchard, widow of Claudius B. Pritchard, late of Company I, Second Regiment Minnesota Volunteer Infantry, and former widow of John Pelas, late of Company G, Fourth Regiment Wisconsin Volunteer Cavalry, $12 per month.

Henry Brown, late of Company B, Fifth Regiment, and Com-A, Seventh Regiment, Delaware Volunteer Infantry, $21 per month.

Moses Green, late of Company B, Fourteenth Regiment Michigan Volunteer Infantry, $30 per month in lieu of that he is now receiving.

George E. Newall, late first lieutenant Company A, Eighth Regiment Michigan Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Alice Quigley, widow of Charles Quigley, late of Company G, Tenth Regiment Michigan Volunteer Infantry, $12 per month.

Winifred Whitney, helpless and dependent child of Adrial L. Whitney, late of Company C, First Regiment Maine Volunteer Light Artillery, $12 per month.

Marie A. Smith, widow of Lawrence Smith, late of Company K, Thirty-ninth Regiment Wisconsin Volunteer Infantry, $12 per month.

Elizabeth S. Chaplain, former widow of John W. Minton, late of Company C, Fifteenth Regiment Illinois Volunteer Cavalry, and widow of Charles Chaplain, late of Company A, Fortieth Regiment Illinois Volunteer Infantry, $12 per month.

Ellen Edwards, widow of Presley Edwards, late of Company H, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Francis M. George, late of Company I, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Harvey W. Hoover, late of Company A, First Regiment Mississippi Marine Brigade Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John Fry, late of Company G, Eighty-ninth Regiment Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

John M. Davidson, late of Company I, Ninety-first Regiment, and Company F, One hundred and twentieth Regiment Indiana Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Justine M. Thrift, widow of William H. Thrift, late of Company D, Sixteenth Regiment Iowa Volunteer Infantry, and major and additional paymaster, United States Volunteers, War with Spain, $25 per month in lieu of that she is now receiving.

Samuel E. Wilson, late of Company G, Fifty-sixth Regiment Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John Harper, late of Company A, Ninth Regiment Maine Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Mary J. White, widow of Albert E. White, late of Company K, Eighty-ninth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Elsie A. Platt, widow of Charles Platt, late of Company B, First Battalion Connecticut Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Adelaide M. Tarbox, widow of George H. Tarbox, late of Company E, Eighteenth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Mary Whipple, widow of Lucian A. Whipple, late of Company F, Second Regiment Rhode Island Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Hannah A. Hill, widow of Robert Hill, late of Company E, Sixty-fifth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

John C. Brown, late of Company H, Eighth Regiment Tennessee Volunteer Cavalry, $36 per month in lieu of that he is now receiving.

Michael Reuss, late of Company H, Sixty-first Regiment New York Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Henry Waltz, late of Company K, Forty-sixth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Moses Hull, late of Company D, Seventh Regiment Kentucky Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Margaret M. Lane, widow of Marion D. Lane, late of U. S. S. *Grampus, Nymph,* and *Hastings,* United States Navy, $20 per month in lieu of that she is now receiving.

William Crome, late of Company H, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, $50 per month in lieu of that he is now receiving.

James C. Green, late of Company C, One hundred and seventh Regiment Pennsylvania Volunteer Infantry, $24 per month in lieu of that he is now receiving.

John Gowland, late of Company G, Eighth Regiment, and Company M, Sixteenth Regiment Pennsylvania Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

John B. Hammer, late of Company D, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Henry Lichtley, late of Company B, Fiftieth Regiment Pennsylvania Volunteer Infantry, $21 per month in lieu of that he is now receiving.

Malisa A. Sherk, widow of William Sherk, late of Company M, Fifth Regiment Pennsylvania Volunteer Cavalry, and Company F, Nineteenth Regiment Veteran Reserve Corps, $12 per month.

Fannie M. Carey, widow of Daniel W. Carey, late of Company I, and principal musicion One hundred and third Regiment New York Volunteer Infantry, $12 per month.

Nathaniel Haskell, late of Company E, Fifth Regiment Maine Volunteer Infantry, and Company B, First Regiment Maine Veteran Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Edwin J. Walton, late of Company C, First Regiment United States Volunteer Sharpshooters, $50 per month in lieu of that he is now receiving.

Robert N. B. Simpson, late of Company A, Fourth Regiment Delaware Volunteer Infantry, $30 per month in lieu of that he is now receiving.

William O'Neal, late of Company E, Forty-fifth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Silas Blodgett, late of Company H, First Regiment District of Columbia Volunteer Cavalry, and Company K, First Regiment Maine Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Ella A. Tyler, widow of Benjamin F. Tyler, late of Company K, Twenty-sixth Regiment Ohio Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Emma J. Beal, widow of Horace W. Beal, late of Company A, Thirteenth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

James Beaton, late of Company G, Twenty-first Regiment New York Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Mary C. Knowlton, widow of John O. Knowlton, late of Company C, Ninth Regiment Vermont Volunteer Infantry, $12 per month.

Sarah C. Greenfield, widow of John Greenfield, late of Company L, Twenty-second Regiment New York Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

James H. Moser, late of Company F, Twenty-third Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Adelia C. Macauley, widow of Orlando H. Macauley, late captain Company H, Thirteenth Regiment Kansas Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Barney Sancomb, late of Company I, Twenty-sixth Regiment New York Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

William P. Nelson, late of Company D, Seventeenth Regiment Iowa Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Marion Kilborn, late of Company I, Ninety-eighth Regiment, and Company H, Sixty-first Regiment, Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Albert J. Sprinkle, late of Company B, Eighty-first Regiment Ohio Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Thomas White, late of Company E, Twenty-seventh Regiment, and Company C, Thirty-third Regiment, Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

James S. Meek, late captain Company H, Ninety-seventh Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Michael Demuth, late of Company G, Forty-fourth Regiment Indiana Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Benjamin Simpson, late of Company I, Fifty-first Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Aaron Benjamin Waggoner, alias Aaron Benjamin, late of Company D, Twenty-fifth Regiment Indiana Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John Merchant, late of Company M, Eighth Regiment New York Volunteer Heavy Artillery, and Company G, Tenth Regiment New York Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Elmira E. Morrison, widow of James W. Morrison, late of Company C, Sixty-ninth Regiment Indiana Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Sarah J. Cadle, widow of Richard Cadle, late quartermaster Eleventh Regiment Iowa Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Ellen Temperance Smith, helpless and dependent daughter of George W. Smith, late of Company C, Fifteenth Regiment Kansas Volunteer Cavalry, $12 per month.

Carrie S. Cross, widow of Samuel K. Cross, late first lieutenant Company A, Second Regiment Kansas Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

James Hawkins, late of Company B, Third Regiment Tennessee Volunteer Mounted Infantry, $30 per month in lieu of that he is now receiving.

Martha A. Hodges, widow of James L. Hodges, late captain Company K, Third Regiment Minnesota Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Leora L. Macarey, widow of Harlow E. Macarey, late first lieutenant Company K, Twenty-eighth Regiment Michigan Volunteer Infantry, $12 per month.

Charles Leeder, late of Company C, Eleventh Regiment Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John S. Allison, late of Company G, One hundred and sixth Regiment Illinois Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Ida C. Martin, widow of Edwin L. Martin, late of Company K, Fifty-seventh Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Guy Beebe, late of Company F, Seventy-third Regiment Ohio Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Ellen Lambert, former widow of Robert Lambert, late of Company F, Twenty-eighth Regiment Maine Volunteer Infantry, $12 per month.

George W. Doyle, late of Company A, Fifth Regiment Vermont Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Harvey D. Plummer, alias Harvey D. Picknell, late of Company H, First Regiment New Hampshire Volunteer Heavy Artillery, $30 per month in lieu of that he is now receiving.

Benjamin H. Whipple, late of Company B, First Regiment New Hampshire Volunteer Heavy Artillery, $30 per month in lieu of that he is now receiving.

William H. Gallup, late of Company D, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Peter Soncrant, late of Company A, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

David Moody, jr., late of Company A, Sixteenth Regiment, and Company I, Twentieth Regiment, Maine Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Alphonso W. Longfellow, late of Company C, First Regiment Maine Volunteer Sharpshooters, $36 per month in lieu of that he is now receiving.

Clara P. Boulter, widow of Eugene A. Boulter, late of Company C, Nineteenth Regiment Maine Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Christian C. Forney, late of Company F, Nineteenth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Mary A. Moreland, widow of George W. Moreland, late of Company I, Eighty-second Regiment Indiana Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Rebecca J. Short, widow of Ferdinand E. Short, late of Company C, Thirty-fifth Regiment Illinois Volunteer Infantry, $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John L. Short, helpless and dependent child of said Ferdinand E. Short, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Rebecca J. Short, the name of said John L. Short shall be placed on the pension roll at $12 per month from and after the date of death of said Rebecca J. Short.

Mary C. Finlay, widow of Andrew Finlay, late of Companies D and K, Forty-seventh Regiment Illinois Volunteer Infantry, and former widow of John Dolman, late of Company G, One hundred and fifty-third Regiment Indiana Volunteer Infantry, $12 per month.

Annie P. Marchant, widow of Amaziah B. Marchant, late of Company H, Twelfth Regiment Rhode Island Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Henry C. Pennington, late of Company E, One hundred and eighty-fourth Regiment Pennsylvania Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Edward P. Carman, late of Company F, First Regiment Maine Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Sophronia Porter, widow of John W. Porter, late of Company K, Ninety-fourth Regiment Illinois Volunteer Infantry, $12 per month.

Mary E. B. Bruson, formerly Blackmar, late nurse, Medical Department, United States Volunteers, $20 per month in lieu of that she is now receiving.

William F. Wiley, late captain Company K, Twenty-fourth Regiment Massachusetts Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Julia C. Bradley, widow of David B. Bradley, late of Company F, Thirteenth Regiment Wisconsin Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Matilda Weger, widow of John W. Weger, late of Company F, First Regiment Oregon Volunteer Infantry, $12 per month.

Mercy A. Martin, widow of Milton Martin, late captain Company F, First Regiment Wisconsin Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Mandana C. Thorp, widow of Thomas J. Thorp, late colonel One hundred and thirtieth Regiment New York Volunteer Infantry, $30 per month in lieu of that she is now receiving.

Mary M. Lose, widow of Daniel Lose, late of Company G, Two hundred and third Regiment Pennsylvania Volunteer Infantry, $12 per month.

Lulu S. Knight Bigelow, widow of Jonathan G. Bigelow, late captain, Eightieth Regiment, and Company K, Eighty-third Regiment United States Colored Volunteer Infantry, $20 per month, with an additional $2 per month on account of the minor child of said Jonathan G. Bigelow until she reaches the age of 16 years, said pension to be in lieu of all pension now being paid on account of the service of this soldier.

Sarah A. Hanson, widow of George H. Hanson, late of Company G, One hundred and twenty-eighth Regiment Indiana Volunteer Infantry, $25 per month in lieu of that she is now receiving.

Hugh Harbinson, late of Company B, Sixty-fifth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Nellie S. Nason, widow of Nahum A. Nason, late of Company I, Thirteenth Regiment Maine Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Ruth A. Hazzard, widow of Robert C. Hazzard, late of Company A, Ninth Regiment Delaware Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Celina C. Smith, widow of Jesse Smith, late of Company G, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Jacob Baker, late of Company F, Sixteenth Regiment Michigan Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Herbert Wadsworth, late second lieutenant Company E, Twenty-eighth Regiment Maine Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Joanna Swander, widow of William H. Swander, late assistant surgeon Seventy-ninth Regiment Ohio Volunteer Infantry, $25 per month in lieu of that she is now receiving.

James Hanners, late of Company G, Fifth Regiment Missouri State Militia Cavalry, $16 per month.

John Stone, late of Company E, Tenth Regiment Missouri Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Eva Helena Patten, widow of Ambrose E. Patten, late of Company E, Twenty-eighth Regiment Maine Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Job D. Marshall, late of Company G, Ninth Regiment Delaware Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Hiram Stevens, late of Company F, Thirteenth Regiment Maine Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Louis Badger, late of Company D, Fourth Regiment Indiana Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Martha Nutter, former widow of George D. Trembley, late of Company G, One hundred and forty-second Regiment Indiana Volunteer Infantry, $12 per month.

Erastus T. Bowers, late of Company G, Fifty-sixth Regiment Illinois Volunteer Infantry, $36 per month in lieu of that he is now receiving.

David McLean, late of Company E, Nineteenth Regiment Wisconsin Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Alonzo E. Martin, late of Company H, Fourth Regiment Maine Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Edwin W. Clark, late of U. S. S. *Sabine*, *Ohio*, and *Passaic*, United States Navy, $30 per month in lieu of that he is now receiving.

John Kern, late of Company H, Seventeenth Regiment Wisconsin Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Corydon B. Lakin, late first lieutenant Company B, First Regiment District of Columbia Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Emma J. Wamaling, widow of C. Thomas Wamaling, late acting third assistant engineer, United States Navy, $25 per month in lieu of that she is now receiving.

Thomas E. Sharp, late of Company E, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Della W. Crane, widow of James M. Crane, late of Company C, Fourth Regiment Michigan Volunteer Cavalry, and former widow of Edwin R. Clark, late captain Company B, Thirtieth Regiment Massachusetts Volunteer Infantry, $12 per month.

Elvira Louisa Kanady, widow of Sanford B. Kanady, late of Company C, Twenty-ninth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Lorenzo D. Emory, late of Company K, Twenty-third Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Alvin E. Tennant, late of Company C, Seventh Regiment Illinois Volunteer Cavalry, $30 per month.

Nephi Owen, late of Company A, One hundred and fifteenth Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Richard H. Bellamy, late of Company C, One hundred and thirty-ninth Regiment Illinois Volunteer Infantry, $24 per month in lieu of that he is now receiving.

James M. Dailey, late second lieutenant Company E, One hundred and twentieth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Elizabeth Holt, widow of John Holt, late of Company B, Twenty-second Regiment Indiana Volunteer Infantry, $24 per month.

Mr. JOHNSON of Maine. On page 10, I move to strike out lines 1, 2, 3, and 4, in the following words:

The name of Edwin J. Walton, late of Company C, First Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. JOHNSON of Maine. On page 18, I move to strike out lines 15 to 18, inclusive, in the following words:

The name of Mary E. B. Bruson, formerly Blackmar, late nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. JOHNSON of Maine. On page 18, I move to strike out lines 19 to 22, inclusive, in the following words:

The name of William F. Wiley, late captain Company K, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the concurrent resolution (S. Con. Res. 16) to authorize the printing of the proceedings in Congress and in Statuary Hall relative to the unveiling of the statue of Henry Mower Rice.

The message also announced that the House had passed a bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution (No. 26) providing for the printing of 1,500 copies of the journal of the fiftieth national encampment of the Grand Army of the Republic for the year 1916, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution (No. 27) providing for the printing of 20,000 copies of the revised edition of United States bankruptcy laws, as prepared by the Committee on Revision of the Laws of the House of Representatives, etc., in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 5016) to authorize the reconstruction of an existing bridge across the Wabash River, at Silverwood, in the State of Indiana, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of C. Stanley Emery and others, citizens of Concord, N. H., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented the memorial of Herbert E. Linscott, of South Merrimack, N. H., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented a memorial of 22 citizens of Nashua, N. H., remonstrating against appropriations being made for sectarian purposes, which was ordered to lie on the table.

Mr. POINDEXTER presented a memorial of Vale Grange, No. 453, Patrons of Husbandry, of Richland, Wash., remonstrating against an increase in armaments, which was ordered to lie on the table.

He also presented a petition of the Washington State Branch, Congressional Union for Woman Suffrage, praying for the adoption of the Susan B. Anthony woman-suffrage amendment to the Constitution, which was ordered to lie on the table.

He also presented a memorial of Local Grange No. 201, Patrons of Husbandry, of Bellingham, Wash., remonstrating against any change being made in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

Mr. BURLEIGH presented a petition of the congregation of the Congregational Church of Cumberland, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. PHELAN presented resolutions of the Woman's Foreign Missionary Society of the Methodist Episcopal Church of Oakland district, Berkeley, Cal., favoring the enactment of legislation to prohibit the sale of alcoholic liquors in Porto Rico, Hawaii, and the Philippines, and also to prohibit the exportation of alcoholic liquors from the United States to Africa, which were referred to the Committee on Pacific Islands and Porto Rico.

He also presented petitions of Local Branch, International Alliance of Theatrical Stage Employees, of Oakland; of Typographical Union No. 46, of Sacramento; of Local Union, Brotherhood of Electrical Workers, of Oakland; and of Mailers' Local Union, No. 9, of Los Angeles, all in the State of California, praying for the passage of the so-called Burnett immigration bill, which were referred to the Committee on Immigration.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WADSWORTH presented memorials of sundry citizens of New York, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Rochester, N. Y., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Troy, N. Y., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

Mr. HOLLIS presented petitions of sundry citizens of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. MYERS. I present a petition of Kalispell Court, Guardians of Liberty, of Kalispell, Mont., in favor of a constitutional amendment to prohibit sectarian appropriations for educational purposes and also opposing any such appropriations in the Indian appropriation bill, which I ask may be received.

The VICE PRESIDENT. The petition will lie on the table.

Mr. MYERS. I also present a petition of residents of Whitefish, Mont., in favor of a constitutional amendment to prohibit sectarian appropriations for educational purposes and also opposing any such appropriations in the Indian appropriation bill, which I ask may be received.

The VICE PRESIDENT. The petition will lie on the table.

Mr. MYERS presented the petition of A. M. S. Kindlow, of Montana, praying for an appropriation of $1,000,000 for the Flathead irrigation project, which was ordered to lie on the table.

Mr. ROBINSON presented a petition of the Common Council of San Diego, Cal., praying for the establishment of a submarine naval base at San Diego, Cal., which was referred to the Committee on Naval Affairs.

He also presented memorials of sundry citizens of South Carolina, remonstrating against the enactment of legislation to prohibit interstate commerce in the products of child labor, which were referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. SAULSBURY, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 6442) to provide for the exchange of the present Federal building site in Newark, Del., reported it without amendment.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 759) to provide for the removal of what is now known as the Aqueduct Bridge across the Potomac

River and for the building of a bridge in place thereof, reported it with amendments and submitted a report (No. 334) thereon.

MARKING OF CONFEDERATE SOLDIERS' GRAVES.

Mr. CHAMBERLAIN. From the Committee on Appropriations I report back favorably, without amendment, the joint resolution (H. J. Res. 171) to continue in effect the provisions of the act of March 9, 1906, and I ask unanimous consent for its consideration. The joint resolution has passed the House. A similar joint resolution has passed the Senate. The original act has been continued in force from year to year, and it is hoped that the work may be completed the coming year.

Mr. SMOOT. The Senator reports it from the Committee on Appropriations?

Mr. CHAMBERLAIN. Yes; it was handed to me by the chairman of the committee a couple of days ago.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc., That the act entitled "An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate Army and Navy who died in northern prisons and were buried near the prisons where they died, and for other purposes," approved March 9, 1906; and continued in full force and effect for two years by joint resolution approved February 26, 1908; and for the additional period of one year by a joint resolution approved on February 25, 1910; and for the additional period of two years by a joint resolution approved December 23, 1910; and for the further additional period of two years by a joint resolution approved March 14, 1914, be, and the same is hereby, continued in full force and effect for two years from the expiration of the present continuation, March 13, 1916; and the unexpended balance of the appropriation made by said act of March 9, 1906, is continued and made applicable for expenditure during the additional period of two years herein provided for: *Provided*, That the triplicate registers provided for in the original act shall include the time and place of death of each Confederate soldier prisoner of war: *Provided further*, That the compensation of the commissioner shall be fixed by the Secretary of War.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RAILWAY LAND GRANTS IN IOWA (S. DOC. NO. 404).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 160), which was considered by unanimous consent and agreed to:

Resolved, That the papers relating to railway land grants in Iowa, transmitted in response to Senate resolution 166, Sixty-third Congress, which was submitted by the Senator from Iowa [Mr. CUMMINS] and agreed to on August 19, 1913, be printed as a Senate document, with illustrations.

DAUGHTERS OF THE AMERICAN REVOLUTION (S. DOC. NO. 392).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 161), which was considered by unanimous consent and agreed to:

Resolved, That the eighteenth report of the National Society of the Daughters of the American Revolution for the year ended October 11, 1915, transmitted to Congress pursuant to law by the Secretary of the Smithsonian Institution, be printed as a Senate document, with illustrations.

FEDERAL PROBATION (S. DOC. NO. 393).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 162), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Oklahoma [Mr. OWEN] on March 28, 1916, entitled "Memorial in re Federal Probation Bill (S. 1092)," by Charles L. Chute, secretary New York State Probation Commission, be printed as a Senate document.

ALLOTMENT OF INDIAN LANDS (S. DOC. 394).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 163), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Oklahoma [Mr. OWEN] on March 23, 1916, entitled "Memorial of Creek Nation as to Withdrawal of Certain Tribal Lands from Allotment," by R. C. Allen, national attorney for Creek Nation, be printed as a Senate document.

THE MERCHANT MARINE (S. DOC. NO. 395).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 164), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript entitled "The Farmer and the Shipping Bill," by Carl Vrooman, Assistant Secretary of Agriculture, be printed as a Senate document.

FINANCING THE FARMER (S. DOC. NO. 396).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 165), which was considered by uninamous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Ohio, Mr. HARDING, on March 10, 1916, entitled "How to Finance the Farmer—Private Enterprise, not State Aid," by Myron T. Herrick and R. Ingails, be printed as a Senate document.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 5427) referring certain claims against the Choctaw and Chickasaw Nations of Indians to the Court of Claims; to the Committee on Indian Affairs.

By Mr. TAGGART:

A bill (S. 5428) granting a pension to E. R. Bigham; and

A bill (S. 5429) granting a pension to Susan S. Stran (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5430) granting a pension to Frank D. Haskell; to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 5431) granting a pension to Francis G. Schutt; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 5432) confirming a patent heretofore issued to Wapato Charley, an Indian in the State of Washington; to the Committee on Indian Affairs.

By Mr. POMERENE:

A bill (S. 5433) granting an increase of pension to Oliver Harding; to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 5434) granting an increase of pension to Albert A. Burleigh; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5435) to amend section 4472 of the Revised Statutes of the United States, relating to the carrying of dangerous articles on passenger steamers; to the Committee on Commerce.

By Mr. PAGE:

A bill (S. 5436) granting a pension to Charlotte Goding (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 5437) to further amend the act of Congress entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910, to extend the same to elections for United States Senators and for presidential electors, and to regulate, control, and limit campaign and other contributions and expenditures in connection with such elections, and to define corrupt practices in connection therewith, and for other purposes; to the Committee on Privileges and Elections.

By Mr. MYERS:

A bill (S. 5438) for the relief of Nels A. Levang; to the Committee on Public Lands.

By Mr. MYERS (for Mr. FLETCHER):

A bill (S. 5439) for the relief of the Southern States Lumber Co.; to the Committee on Claims.

By Mr. LEWIS:

A bill (S. 5440) to reduce night work in post offices; to the Committee on Post Offices and Post Roads.

By Mr. CHAMBERLAIN:

A joint resolution (S. J. Res. 119) to permit the issuance of medical and other supplies to the American National Red Cross for a temporary period; to the Committee on Military Affairs.

HOMESTEAD ENTRIES.

Mr. MYERS submitted an amendment intended to be proposed by him to the bill (S. 5379) validating certain homestead entries, which was referred to the Committee on Public Lands and ordered to be printed.

NATIONAL DEFENSE.

Mr. REED submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

THE UNITED STATES SUPREME COURT.

Mr. OVERMAN. Mr. President, I have an article prepared by B. F. Long, of North Carolina, which I ask may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EPITOME FROM A CHAPTER ON THE FOURTH CIRCUIT.

[By B. F. Long, of North Carolina.]

"There is nothing so powerful as truth, and often nothing so strange."

Statement in regard to the acts of Congress relating to the Supreme Court, the precedents of Presidents in appointments thereto, the ages of judges when appointed, length of service after 70 years old,

and a comparison of the fourth circuit and the three adjacent circuits, to wit, the third, the fifth, and sixth.

The Judicial Code, section 116, creates nine judicial circuits and provides—section 119—for an allotment by the Supreme Court of its members, one each, to a circuit, among the nine circuits; it provides—section 215—that the Supreme Court of the United States shall consist of a Chief Justice and eight associates justices, or nine judges, corresponding in number to the number of circuits. Although there is no mandatory provision requiring each circuit to have at all times a member of the Supreme Court appointed from the residents within its boundaries, such, nevertheless, is contemplated by the statutory allotment and assignments, and is really the spirit of the laws, for all the circuits are of equal dignity, vested with equal rights and power, and subject to the same duties, obligations, and regulations. It is therefore clear, upon the broad and just grounds of equality and equity, that one circuit shall not have two judges while a sister circuit has none.

We do not discuss the reasons, but we nevertheless state facts which are of deep concern, relative to the exclusion since 1864—51 years—of the fourth circuit (Maryland, Virginia, West Virginia, North Carolina, and South Carolina) from a seat on the Supreme Bench. Exclusion for 51 years, since the death of Taney, challenges attention and arouses inquiry. It is fair to look further and observe what has been done in these 51 years in States and circuits contiguous to the fourth on the north, south, and west of it.

During these 51 years the third circuit, adjoining the fourth on the north, has had the following members of the court:

1. William Strong, 1870–1880.
2. J. P. Bradley, 1870–1892.
3. George Shiras, 1892.
4. Justice Pitney.

During the same time the fifth circuit, on the south, has had:

1. W. B. Wood, 1880–1887.
2. L. Q. C. Lamar, 1888–1893.
3. Justice and Chief Justice White, 1894.
4. Justice Joseph Lamar.

During the same 51 years the sixth circuit, adjoining on the west, has had:

1. Chief Justice Chase, 1864–1873.
2. Chief Justice Waite, 1874–1888.
3. Edwin M. Stanton, 1869 (but did not qualify).
4. Justice Swayne, appointed in 1862, but served 17 years after 1864.
5. John Marshall Harlan, 1877.
6. Stanley Matthews, 1881–1889.
7. H. B. Brown, 1890.
8. Howell Jackson, 1893.
9. Justice Day.
10. Justice Lurton.
11. Justice McReynolds.

So it is a fact that the three adjacent circuits to the fourth have had these 19 recognitions, two full benches plus one, since the fourth has had a member.

Comparisons usually are odious, but this one is not made with such motive. It is stated only to bring to light a condition which we believe has not been called to the attention of the Executive.

If the 10 Senators of the fourth circuit, heretofore representing 9,000,000 people, had presented this status of affairs to the Executive it may be that the fourth circuit would have been restored to her rightful place amongst the sisterhood of circuits. This state of affairs evidently has been overlooked. But it is said that the 11 appointments in the sixth can be explained from the fact that so many Presidents have come from that circuit. If that is true, and a proper precedent, then the fact that the present Executive was born and reared in the fourth circuit makes it peculiarly proper for him at the proper time to restore the equilibrium. The opportunity may not come again in another half century. But, apart from this consideration, upon all the incontrovertible facts above set forth it is respectfully urged that the fourth circuit is entitled, agreeably to the manifest intention of the laws, to have a place of equality with her sister circuits.

With regard to the five States composing the fourth circuit, it may be of interest to refer to their relations to the Department of Justice before the war, when they did have recognition. In those early days Virginia was recognized on the Supreme Bench in the persons of:

1. John Blair, 1789–1795.
2. Bushrod Washington, 1798–1829.
3. P. P. Barbour, 1836–1841.
4. John Marshall, 1801–1835.
5. Peter V. Daniels, 1841–1860.

Representing a total service of 95 years. Virginia also had Attorneys General Randolph, Lee, Wirt, and Mason.

Maryland had on the bench:

1. Thomas Johnson, 1791–1793.
2. Samuel Chase, 1796–1811.
3. Gabriel Duval, 1811–1836.
4. Roger B. Taney, 1836–1864.

Representing a total service of 70 years; and as Attorneys General she had Smith, Pinkney, Taney, Nelson, Johnson, and lately Bonaparte.

South Carolina had Rutledge appointed but not confirmed, and William Johnson appointed in 1804 and served till 1834—30 years. As Attorney General she had one, Hugh S. Lagare.

North Carolina had on the bench:

1. James Iredell, 1790–1799.
2. Alfred Moore, 1799–1804.

Representing a service of 13 years only, more than seven times less time of representation than Virginia, more than five times less than Maryland, and more than twice less than South Carolina.

It is singular that North Carolina, largely the most populous of all the States in the fourth circuit and always having had lawyers and judges of eminence among her citizens, should never have had an Attorney General in the Cabinet. Indeed, it will be seen that Virginia has been represented in the Cabinet before the war 22 times, Maryland 18, South Carolina 6, and North Carolina only 4.

Coke has said it required the lubrications of 20 years to make a perfect lawyer. It has also been said it requires the attrition of 20 years to make the perfect judge. If these opinions as to the time required to effect proficiency are sound, the thoroughly equipped judge is found at about the age of 61. The opinions of great lawyers are at variance with Oslerism. And so, too, is the sentiment of Homer, the greatest poet of all time, for he speaks of "a green old age, unconscious of decays that proves the hero born in better days."

But the idea has been advanced that as section 260 of the code provides the judge may resign at 70, after 10 years' service, and get full pay, that he should be barred from appointment if he is 60 or slightly over at appointment. This is a non sequitur. This has not been the custom.

There is nothing in the law compelling retirement at 70, nor providing pay unless there is a service of 10 years, nor arbitrarily or otherwise barring appointment at a certain age, nor is there a limitation restricting the discretion of the appointing power.

There is the express provision favorable to age and service at 70, and there is also an express provision which shows respect for age—section 216 of the code—which says:

"The Associate Justices shall have precedence according to the dates of their commissions or, when the commissions of two or more of them bear the same date, according to their ages."

These are all the statutory rules relating to the age of the judge.

The precedents for a century or more, established under the laws of Congress, in appointing lawyers of mature experience and age to the Supreme Bench, are in direct conflict with the notion that he should be ineligible when on the shady side of 60. Indeed, such a hard and fast rule, if followed, would bar many from Congress and from the Presidency as well. Some men are stronger at 60 than others at 40. Each particular case heretofore has been determined upon its merits. Taney was appointed at 59 and served 28½ years. Waite was appointed at 58 and served 14 years. Moore was appointed when quite young, but ill health compelled his resignation in four years.

The appointments heretofore made establish the precedents and rules of action by the Executive at variance to modern suggestions that a man should be effaced at or near 60. This contention is proven by reference to a few appointments.

The 22 appointments set forth below constitute about one-third of all the judges who served on the Supreme Bench from the foundation of that court. Dates are given as of nearest birthday:

1. Judge Lurton, appointed at 65 or 66.
2. Ward Hunt, appointed at 63 (served over 10 years).
3. L. Q. C. Lamar, appointed at 63.
4. William Strong, appointed at 62.
5. Samuel Blatchford, appointed at 62 (served over 11 years).
6. Howell Jackson, appointed at 61.
7. Justice Holmes, appointed at 61.
8. Justice Shiras, appointed at 60.
9. Chief Justice Taney, appointed at 59 (served 28½ years).
10. Thomas Johnson, appointed at 59.
11. Gabriel Duval, appointed at 59.
12. J. P. Bradley, appointed at 58 (served 22 years).
13. Chief Justice Waite, appointed at 58 (served 14 years).
14. Chief Justice Chase, appointed at 57.
15. John Blair, appointed at 57.
16. John McKinley, appointed at 57.
17. Peter V. Daniels, appointed at 57.
18. W. B. Woods, appointed at 57.
19. Stanley Mathews, appointed at 57.
20. Justice Peckham, appointed at 57.
21. Chief Justice Fuller, appointed at 56.
22. Levi Woodbury, appointed at 56.

It is a remarkable fact that 36 of the 56, the total of the predecessors of the present Chief Justice on the Supreme Bench, served periods ranging in time from 10 to 34 years, though mature in age at the date of their respective appointments. The record is a wonderful one, demonstrating the large majority to have been men sound in body and mind and capable of exacting and exalted service, virile exemplars of former days.

An examination of the record also discloses the remarkable fact that 20 of the judges of the Supreme Court—nearly one-third of all who ever served after appointment—served long periods, varying in time, after they reached 70, besides the long service before 70.

In verification of the statement their ages and names and the length of service after 70, is given as follows:

1. Chief Justice Taney served after 70 years old 17½ years.
2. Duvall served after 70 years old 12½ years.
3. Wayne served after 70 years old 10$\frac{5}{12}$ years.
4. Field served after 70 years old 10 years.
5. Marshall served after 70 years old 9$\frac{5}{12}$ years.
6. Nelson served after 70 years old 9¾ years.
7. Catron served after 70 years old 9 years.
8. Bradley served after 70 years old 8⅝ years.
9. Cushing served after 70 years old 8$\frac{1}{12}$ years.
10. Harlan served after 70 years old 8⅓ years.
11. Clifford served after 70 years old 7 years.
12. Smith Thompson served after 70 years old 6½ years.
13. McLean served after 70 years old 6 years.
14. Daniels served after 70 years old 6 years.
15. Swayne served after 70 years old 6 years.
16. Grier served after 70 years old 5$\frac{5}{12}$ years.
17. Gray served after 70 years old 4¾ years.
18. Miller served after 70 years old 4 years.
19. Blackford served after 70 years old 3⅓ years.
20. Waite served after 70 years old 1⅓ years.

LONGEVITY ON THE BENCH AND AT THE BAR.

The completion by Lord Halsbury, on September 3, of his ninetieth year reminds one of many remarkable cases of longevity both on the bench and at the bar. The illustrious Sergt. Sir John Maynard was at his death in his eighty-ninth year, having been within a few months of his death Lord Commissioner of the Great Seal. The Right Hon. James Fitzgerald, the Prime Sergeant of Ireland, died in 1834, in his ninty-fourth year, after a great career at the bar in Ireland and in the Irish and English Houses of Parliament, being requited with the offer of a peerage, which was, however, declined. Mr. Robert Holmes died in 1859, in his ninety-fourth wear, as father of the Irish bar, of which he was an acknowledged leader although a stuff gownsman, having refused the highest promotion and the office of solicitor general. Lord Plunket, Lord Chancellor of Ireland, died in 1854 in his ninetieth year; Lord Lyndhurst at his death in 1864 was 90; Lord Brougham at his death in 1869 had all but completed his ninetieth year; and Lord St. Leonards at his death in 1875 was 94. The Right Hon. Thomas Lefroy, Lord Chief Justice of Ireland, who presided over the Irish Court of Queen's Bench in 1866 when he was past 90, died in 1869 in his ninety-third year. Vice Chancellor Bacon, who died in 1895 in his ninety-seventh year, continued to discharge the duties of vice chancellor till 1886. In Canada, Sir James Robert Gowan, who died in 1910 in his ninety-sixth year, had the unique record of 60 years of judicial work. (Law Notes, Nov. 15, 1915.)

These are a few who grew old—not in years but in deeds, service, and honor.

We have illustrious examples in the different States where eminent judges, cotemporaries of some of the justices mentioned above, served on the bench long after they had reached three score and ten. Two of these may be mentioned because they made State, National, and international reputations—Chief Justice Richmond M. Pearson and Chief Justice Thomas Ruffin. Pearson was unsurpassed in America as a common-law lawyer and judge. Ruffin was a familiar acquaintance of Marshall and Kent, and by them and such as they was esteemed one of the ablest judges in all branches of the law who ever presided over courts among English-speaking people. It may be added that no lawyer, perhaps, in America ever rendered more efficient and lasting service to his country than John B. Minor, professor of common and statute law of the University of Virginia, who died in the harness when he had passed his four score years.

The Supreme Court of the United States is the only court from whose judgments there is no appeal. "None but the judgments of the Lord are just and righteous altogether." Nevertheless in the government of men the power must be lodged somewhere for final arbitrament, and where mankind hope justice and righteousness may be established. This transcendent power is given the Supreme Court. This Supreme Court magnifies the importance of its decrees and that these guardians of the Constitution, the life, liberty, and perpetuity of the Union shall be ripe in wisdom and virtue and mature in years and experience.

This statement is made to present a few obscured or forgotten truths. The best way to arrive at the truth is to examine things as they actually have been, now are, and not as they are imagined or fancied to be either by ourselves or others. From what has heretofore been stated, it logically follows when two of the circuits each have two members of the court that two others are denied membership, and this inevitably results in inequality. This has not always been so as to any one of the nine, except as to the fourth for the last half century. History will associate the discrimination with the penalties of the Civil War. The appointing power of the present can view the past with poise and calmness and recall Maryland, Virginia, North Carolina, and South Carolina were four of the original 13, whose first succession established this great Republic; and although three of them joined the second secession they paid the debt in full of the vanquished, without murmur, and without dishonor, and became again more powerful constituents of a restored Union. The immediate precedents of exclusion were set at the close of the war, and unhappily acquiesced in since, but the time has come when the sunshine of fraternity and equality should break through and dispel the long-continued eclipse. The Most High visited upon his chosen people a sentence of wandering in the wilderness of only 40—not 51 years.

The sole purpose of this simple statement will be effected if in anywise the appointing power is aided in an examination of the facts, to the end that equality and justice shall be reestablished between circuits and States of equal dignity and power and entitled to equal rights under the laws.

Although, since the end of reconstruction, these five States—practically one-ninth of the Republic—have been accorded the untrammelled right to vote in presidential elections, and to have representation in Congress, their sole dependence and hope for equitable representation in the other—the judicial department—has been in the appointing power.

Is it not one of the most notable occurrences in our history that this great people throughout their humiliation of a half century have borne it patiently and without uttering a word of complaint or criticism?

Since there is no virtue so great and godlike as justice, does not this extraordinary situation appeal to the head and heart of a thoughtful President, capable of "hearing courteously, considering soberly, answering wisely, and deciding impartially?"

ARMY DENTAL CORPS.

Mr. SMITH of Georgia. Mr. President, I present a letter from William C. Crenshaw, of Atlanta, Ga., president of the National Association of Dental College Faculties, addressed to the senior Senator from North Carolina [Mr. OVERMAN], which I ask may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ATLANTA, GA., *March 23, 1916.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SIR: You were a member of the Senate Military Committee and actively interested in several Army Dental Corps bills which were considered and reported by the committee and passed by the Senate, each of which bills provided that the three grades of rank of lieutenant, captain, and major should be available to the Dental Corps subject to the same periods of service required in the case of Medical, Pay, and other Staff Corps. You were particularly interested in minimizing the discrimination in the matter of rank and status which the Congress was influenced, through unidentified and mysterious sources, to inflict on the dental profession and its schools.

I therefore write you to again assure you of the profession's appreciation of your interest in the object stated, and also to urgently ask a continuance of your active support of an effort to so amend the dental provisions of the pending Army reorganization bill that the Dental Corps may, for the sake of its efficiency and because of the immeasurable effect of its military status on the civil status of the profession, be accorded rank and a military status commensurate with the profession's civil status and with the importance of its function in preserving and restoring the health, comfort, and efficiency of those of our fellow citizens who are called to arms in defense of the democracy of our country and of our country's claim to accord its people equal opportunity without discriminating distinctions.

The executive and the legislative branches of the Government have been in accord with the general policy of placing the several staff corps on a parity in the matter of rank and pay, so that the highly educated specialist in medicine and surgery and the specially trained officers of the Pay and other Staff Corps are on an equal footing. Experience has proven the wisdom of this policy, while digressions therefrom result in discriminating distinctions destructive of the esprit de corps essential to efficiency and economy.

The claim made but a few years ago in behalf of the Medical and other Staff Corps that equality of rank and pay should obtain between officers educated at their own expense and those educated at Government expense has not only been established as just, but has resulted in attracting to both the Army and the Navy Medical Corps a more highly educated, broadly qualified, and notably efficient class of surgeons. The same claim and the same reasoning would apply with equal force and similar results in the case of dental officers who treat those of our fellow citizens whose lives are offered in defense of their country. To deny the dental surgeon an equality with other officers whose function is the amelioration of human suffering and the preservation of human efficiency, and instead attempt to degrade him to the military position of the Army horse doctor, carries with it an equal degradation of the soldier to the level of the military horse.

Many of your colleagues are convinced—in fact, it is almost uniformly recognized—that the Army and Navy personnel require and have a right to expect the Government to provide the most competent general medical and special surgical service available, and it is also generally recognized that there can not be an equality in the competency of the service rendered by the several different professions represented in the Army and Navy if there is not also an equality in their social, professional, and official status.

In support of the object of the amendment, a tentative draft of which you indorsed to Senator CHAMBERLAIN on the 17th instant, I append hereto excerpts from the views of the Military Committees of the Senate and House on similar bills, which were expressed in their official reports, and also the views of many nondental men of prominence in the educational affairs of the country, and additionally some data bearing on the high status and the extraordinary results accomplished by the Canadian Army Dental Corps, and also on the unparalleled results of the dental service in connection with the European war.

Surgery is surgery, whether practiced by a medical doctor or a doctor of dental surgery. There was never a greater contribution to the science and art of surgery nor a more blessed boon to suffering mankind everywhere, especially to the soldier wounded on the field of battle, than the discovery and application by dental surgeons of surgical anesthesia.

I will probably send Senator SMITH a copy of the above referred to collection of data on the subject and ask him to have it printed and made available to other Senators who are interested in the attainment of this almost universally approved object.

With a deep sense of gratitude to you personally and in behalf of my profession, I remain,

Yours, very sincerely,

WILLIAM C. CRENSHAW,
President of the National Association of Dental College Faculties.

HOUSE BILL REFERRED.

H. R. 10384. An act to regulate the immigration of aliens to and the residence of aliens in the United States was read twice by its title and referred to the Committee on Immigration.

UNITED STATES BANKRUPTCY LAWS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 27) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed 20,000 copies of the revised edition of United States bankruptcy laws, as prepared by the Committee on Revision of the Laws of the House of Representatives, the said 20,000 copies to be distributed as follows: Three thousand copies to the Senate folding room, 3,000 copies for the Senate document room, 7,000 copies for the House folding room, and 7,000 copies for the House document room.

GRAND ARMY OF THE REPUBLIC.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 26) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the journal of the fiftieth national encampment of the Grand Army of the Republic, for the year 1916, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

NATIONAL DEFENSE.

Mr. REED. Mr. President, I ask leave, out of order, at this time to introduce an amendment to the so-called military bill. I am introducing the amendment now in order that it may be printed for the consideration of Senators.

Briefly stated, the amendment provides pay for militia officers above the rank of captain who are engaged in active service.

I also ask to have printed in the RECORD a number of telegrams bearing upon the subject matter of the amendment.

The military bill, as it is drawn, deprives all officers above the rank of captains serving with their companies of pay. The alleged basis for that action is that officers above the rank of captain do no work of importance. It is claimed that they do not give their time and labor to the upbuilding of the National Guard.

In order to ascertain whether the allegations referred to were founded in fact or otherwise, I sent two forms of telegrams to various officers of the National Guard which I ask leave to insert in the RECORD. One of these forms was sent to captains commanding companies. The other form was sent to officers above the rank of captain. I employed the two forms and caused them respectively to be sent to the classes of officers referred to for this reason: Those sent to captains commanding companies would elicit answers from men who will, under the terms of the bill, receive pay. The amendment does not in any manner affect their pay, therefore, their opinions and statements of fact are in no manner colored by interest. The other telegram sent to officers who will be affected by the amendment I

propose affords them an opportunity to frankly state their views, and the facts relative to the character of service by them rendered.

I ask leave to insert in the RECORD: First, a copy of the telegram sent by me to officers above the rank of captain together with the answers by me received thereto. Second, a copy of the telegram sent by me to the captains commanding companies together with the answers I received.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, it is so ordered.

Mr. REED. The copy of the telegram sent by me to officers above the rank of captain is as follows:

[Telegram.]

APRIL 9, 1916.

In justification of Senate bill which fails to provide pay for other than company officers, it is claimed that staff officers do not devote any considerable portion of their time to military work. How much of your time and money do you annually devote to the National Guard? Wire immediately.

JAMES A. REED.

The replies received from officers above the rank of captain are as follows:

NEVADA, MO., *April 10, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Commanding general is responsible for instruction, discipline, government, equipment, condition, movement, and operations of National Guard, requiring his constant supervision and attention, devoting very large part of his time, as he must pass upon everything. Colonels are responsible for instruction and discipline of their regiments, keeping up strength and interest, visiting companies, handling correspondence, and countless matters requiring fully half their time in city regiments. Majors are required to supervise drill of their battalions, giving four nights each week in country regiments; majors visit towns in which companies are stationed, supervising same. Brigade and regimental adjutants, quartermasters, and inspectors of rifle practice handle all work and correspondence of their departments, giving fully half their time in addition to other duties. All officers above named devote much time to study schools and correspondence schools to keep abreast of progress in military matters.

Duties of company commander require much time, and pay should be at least as much as that provided in the Senate bill, but lieutenants are given proportionately too much, as they give relatively much less than any other officer in this Guard; and as between captains and lieutenants the relative pay fixed in Hay bill is much more equitable than in Senate bill. In National Guard of this State amount of time devoted to military duties is, generally speaking, in direct ratio to rank of the office, and in strict fairness pay should be proportional to rank, as it is with enlisted men in this bill, and with officers in the Army. However, we regard the provisions of the Hay bill, fixing the pay of all officers above the grade of captain at the same sum fixed for that grade as based upon the principle that the higher officers are willing to make greater sacrifice of their time, and we therefore earnestly indorse the rates of pay fixed in section 76 of the Hay bill. We call attention to the fact that section 112 of the Senate bill provides that only officers paid under section 108 shall be called in case of war. If these two sections stand no officer above the rank of captain would be eligible to Federal service in war. We are in the National Guard to serve the United States.

HARVEY C. CLARK,
Brigadier General Commanding.
A. B. DONNELLY,
Colonel First Regiment.
W. A. RAUPP,
Colonel Second Regiment.
F. A. LAMB,
Colonel Third Regiment.
J. D. MCNEELEY,
Colonel Fourth Regiment.
E. M. STAYTON,
Major Battalion Field Artillery.

—

ST. JOSEPH, MO., *April 9, 1916.*

JAMES A. REED,
United States Senate, Washington, D. C.:

Relative to representation that colonels, and so forth, of militia do not devote any considerable time to it, will state that between 400 and 500 communications pertaining to militia originate in or are forwarded, transmitted, or received in my office each month, including militia orders, letters, reports, returns, vouchers, applications, and so forth. My telephone toll bill on military business the past month was $25. Two-thirds of my time is devoted to my regiment and I make a living with the other third. Two-thirds of the work of my law-office stenographer is military work; one-half of my office suite is devoted to military work. About 30 different forms of printed military blanks are required to be used. Am willing to bring to Washington, without Government expense, a couple of trunks full of military files of my office to substantiate above, asking only in return that if enemies of the National Guard are found to have misrepresented on this point their statements on all others be regarded with suspicion. If any Senator who opposes Federal support to brigade, regimental, and battalion commanders will personally visit any near-by regimental headquarters of Washington or Baltimore National Guard and go through the files, he will be surprised at the extent of work involved and will turn against those upon whom he has heretofore relied for information. Gen. Clark devotes two-thirds of his time to military work, notwithstanding he is a prominent lawyer. My majors devote considerable time to work of instruction, organization, and inspection. My adjutant devotes two or three hours a day to military work. For any further information wire me. Am ready to back all statements with proof.

JOHN D. MCNEELY,
Colonel Fourth Missouri Infantry.

ST. JOSEPH, MO., *April 9, 1916.*

JAMES A. REED,
Senate, Washington, D. C.:

Relative to Senate bill refusing recognition to officers above rank of captain, permit me to state that our brigade commander, Gen. Clark, was lieutenant colonel of Volunteers in Spanish War. Long prior to that was company commander, and previously an enlisted man. I am an honor gradute of Missouri State Military School, where I was a cadet five years. Served as officer in this regiment in Volunteers, 1898–99. Have attained rank by gradual promotion. Lieutenant colonel and majors of regiment have been officers for from 14 to 25 years and earned promotion by service. I submit that it would be utterly discouraging to them if Congress declares promotion earned by faithful service deprived them of recognition under the bill.

JOHN D. MCNEELY,
Colonel Fourth Missouri Infantry.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Statement that field and staff officers devote but little time to guard absolutely untrue and ridiculous on its face. As colonel of the First Infantry I average five nights a week and every spare moment I can get away from my business. Majors and staff officers I require to be present three nights, besides calling on them occasionally in the daytime. Thursday of each week these officers are required to be at the armory from 6 to 11.30 p. m. Is the Senate willing to believe any business, or the Government itself, could be conducted successfully if the head of it or the executive department gave it but little time? The colonel and his staff occupy relatively the same position to a regiment as the President and his Cabinet do to the Government. Furthermore, I might have a company captain and fine soldier and deserving of promotion to major, or especially fitted for the staff. If his means were limited, he could not give up pay of company officer and assume expense as major without pay.

ARTHUR P. DONNELLY,
Colonel First Infantry.

—

KIRKSVILLE, MO., *April 9, 1916.*

JAMES A. REED,
Washington, D. C.:

I spend many days in inspecting scattered companies and keeping them up to standard. I have been a captain for years, and I find that a major spends more time out of the city. His work is more difficult than that of a captain. He, too, should receive pay.

J. E. REGOR, *Major.*

—

TRENTON, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Have been an officer in the National Guard since 1902. Service continuous; company commander greater portion of that time; have made probably 10 or more trips inspecting and instructing companies; not in home town in the past year.

W. D. STEPP,
Major, Fourth Infantry, National Guard.

The copy of telegrams sent by me to captains of companies is as follows:

[Telegram.]

APRIL 9, 1916.

In justification of Senate bill, which fails to provide pay for other than company officers, it is claimed generals, colonels, majors, and staff officers do not in fact devote any considerable portion of their time to military work. Wire facts. Also have captains commanding companies wire statements of amount of work done by generals, colonels, majors, and staff officers. Must have answers immediately.

JAMES A. REED.

The replies received from captains commanding companies are as follows:

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Information received here to the effect that claims are made in Washington that generals, colonels, majors, and staff officers devote but little time to National Guard service. At a meeting of company commanders of the First Infantry, National Guard of Missouri, this evening the undersigned decided to protest the attempt to exclude above officers from pay. Desire to state that all these officers devote at least three nights a week, and often more. The organization could not exist if they are discriminated against. In fact, the higher the rank the greater the amount of time devoted to the service. This applies from general to second lieutenant.

George V. Stewart, Captain Company A; R. W. Rombauer, Captain Company B; A. R. Sourwein, Captain Company C; Gunther Meier, Captain Company D; G. M. Faught, Captain Company E; E. F. Lloyd, Company F; J. R. Robinson, Captain Company G; E. J. McMahon, Captain Company H; J. F. Carmack, Captain Company I; Fred Bottger, Captain Company K; John Schweitzer, Captain Campany L; J. J. Koch, Captain Company M; N. B. Comfort, Captain Machine Gun Company.

—

KANSAS CITY, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

We earnestly indorse the rates of pay fixed in the Hay bill. The higher the officer the more time he is required to give the service. This applies to every officer in the National Guard.

Capt. F. G. Ward; Capt. W. E. Coe; Capt. John Constable; Capt. W. B. Johnson; Capt. C. F. Jones; Capt. T. C. Ross; Capt. W. A. Smith; Capt. F. W. Hardin; Capt. A. Barnes; Capt. G. E. Sanstrom; Capt. W. Osgood; Capt. A. Johnson.

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Colonel devotes practically all his evenings to guards; majors and staff officers' presence required three nights a week. Senate bill provides promotion must be made from guard. No company officer who was being reimbursed for time and expense could afford assume additional expense of colonel, major, and staff officer and at the same time sacrifice the small amount the Government gave him as company officer. As a result would be impossible to fill vacancies in higher rank, or else have inefficiency on account of their wealth. We would have a lot of companies with no directing head.

N. B. COMFORT,
Captain Machine Gun Company.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Hope you offer amendment to include all officers in pay provision of Senate bill. Strength of a regiment lies in its colonel, majors, and staff officers, as well as company officers. They are compelled to spend as much time as anyone—never less than three nights a week.

J. J. KOCH,
Captain Company M.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington. D. C.:

Bill should include field and staff officers in pay. Absolutely necessary or legislation will be a failure. If present officers should resign, no company officer would accept additional expense and worry of field officer, thereby losing pay as company officer.

JOHN SCHWEITZER,
Captain Company L.

—

TRENTON, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Officers of higher rank have more responsibility, and much is required of them, having attained their rank by reason of having served in the various lower grades. Their continued services is, in my judgment, very necessary.

W. C. WILLIAMSON,
Captain, Fourth Infantry, National Guard of Missouri.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

The higher the rank of officer in National Guard, more time, expense, and responsibility. Organization would fail if they neglected their business.

G. M. FAUGHT,
Captain Company E.

—

ST. LOUIS, MO., *April 8, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

If your statement of time devoted by field and staff officers were correct, there would be no regimental organization, but 12 little organizations instead of 1 homogeneous whole.

J. R. ROBINSON,
Captain Company G.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

The colonel has to devote more time; majors and staff officers same time as company officers; their expense is also great.

E. J. MCMAHON,
Captain Company H.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Successful administration of a regiment requires more time of colonel and major and staff officers than anyone. I personally declined a major's commission on account of time and expense.

A. R. SOURWEIN,
Captain Company C.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Our colonel devotes more time to regiment than any man in service; staff officers and majors same time as company commanders.

R. W. ROMBAUER,
Captain Company B.

—

ST. LOUIS, MO., *April 9, 1916*

Senator JAMES A. REED,
Washington, D. C.:

No truth in statement about field and staff officers; the passage of bill failing to provide pay for these officers would result in this organization weaken the bill immeasurably.

J. F. CARMACK,
Captain Company I.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Regiment could not exist if colonel and staff failed to give time and attention.

GEO. W. STEWART,
Captain Company A.

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Colonel, majors, staff officers devote fully as much time as company officers. Failure to provide pay unjust, and would operate to prevent any captain accepting promotion or serving on staff.

GUNTHER MEIER,
Captain Company D.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Colonel devotes practically all his evenings and large part of days to guard; majors and staff officers compelled to stand same time as company officers. Hope bill is amended to include them in pay.

FRED BOTTGER,
Captain Company K.

—

ST. JOSEPH, MO., *April 9, 1916.*

JAMES A. REED,
United States Senate, Washington, D. C.:

Colonel of regiment, being highest rank, does more work than company commander. Paper work of company multiplied in his office by 12 or 14, same being number of subordinate organizations dealt with by colonel and adjutant.

CHAS. E. HOLT,
Captain Company M, Fourth Missouri.
W. A. MANN,
Captain and Adjutant, Fourth Missouri.

—

PIERCE CITY, MO., *April 10, 1916.*

Hon. JAMES A. REED,
United States Senate, Washington, D. C.:

The higher the rank the more time given the service. This applies to every officer from brigadier general to second lieutenant. We earnestly indorse rate of pay fixed in Hay bill.

Elmer Throwbridge, Captain Company A, Second Infantry, National Guard Missouri; Ed. C. Clarke, Captain Company B, Second Infantry, National Guard Missouri; Joseph H. Hull, Captain Company C, Second Infantry, National Guard Missouri; Fred A. Nesbit, Captain Company D, Second Infantry, National Guard Missouri; S. A. Martin, Captain Company E, Second Infantry, National Guard Missouri; H. A. Hibler, Captain Company F, Second Infantry, National Guard Missouri; S. A. Fillingham, Captain Company G, Second Infantry, National Guard Missouri; Fred A. Nesbit, Captain Company I, Second Infantry, National Guard Missouri; Paul A. Frey, Captain Company K, Second Infantry, National Guard Missouri; Wm. S. Moon, Captain Company L, Second Infantry, National Guard Missouri; Wm. A. Oglesby, Captain Company M, Second Infantry, National Guard Missouri; W. M. Williams, Captain Machine Gun Company.

DUTY ON SUGAR.

Mr. SIMMONS. I think, Mr. President, we are now in position to resume the consideration of the sugar bill.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 11471) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913.

Mr. BROUSSARD. Mr. President, I had intended addressing the Senate at some length upon the substitute reported by the Committee on Finance of the Senate to the House bill repealing the free-sugar clause of the Underwood tariff bill. I quite realize, as we all do here, that the main controversy with regard to this matter will most probably take place as the result of the conference between the two Houses upon their disagreement. I can not, however, permit the bill to come to a vote without at least expressing myself with regard to the substitute reported by the committee, because of the great interest which Louisiana has as the result of this legislation.

These are unusual times and on every hand the question of preparing this country for defense because of the conditions existing in Europe has focused the public mind upon what preparedness really contemplates. Of course, we all understand that preparedness has for its primary purpose the organization upon some systematic and scientific plan of the various arms of defense used during times of war. But conditions in Europe have shown us that that alone will not suffice to have this country thoroughly prepared for its defense. So we see in some quarters that efforts are being made to prepare the commercial conditions of the country against the result of the European war after it shall have terminated.

Suggestions have come to Congress, through various sources, as to the necessity of various preparations and for the enactment of some laws to save the industries of this country from the dumping on the American market of a large quantity of goods cheaply produced after the close of the war in Europe. Other suggestions have come to us in the shape, for instance, of the suggestion that there should be a protective tariff upon dyestuffs, in order that we may not be entirely dependent upon Germany for those commodities essential to the manufacture of the clothing of the people of this country. Various other suggestions have been made; for instance, such as the construction of a plant or plants in order to produce the nitrates of this

country. All of these suggestions have grown out of conditions that have made the necessity for them apparent, as the result of the war in Europe. I take it, that sugar comes in the category of things as to which we ought to prepare as the result of conditions that we find existing in the two largest sugar-consuming countries now engaged in the war.

Let us note, for instance, the conditions of Germany. Germany, which heretofore has produced more sugar than was necessary for her own consumption, was enabled, because of that surplus production, to build up a large trade with England by disposing of her surplus sugar upon that market, which enabled her to purchase goods from England for the use of the German people. Germany to-day, though practically closed from outside traffic, and certainly unable to get any sugar from anywhere else, finds herself enabled to furnish her people with the sugar requisite for their everyday consumption. We find that the price of sugar in Germany, because of the policy pursued by Germany, has not yet reached 5 cents a pound. England, which heretofore had purchased sugar so very cheaply of Germany, because of the overproduction of sugar in that country, found herself at the outset of the war closed from a market that had theretofore supplied her with sugar, and found herself under the necessity of approaching our supply market in order to secure the necessary quantity of sugar to supply her people.

What has been the result? The result is that sugar is selling in England to-day at 9 cents a pound, as compared with less than 5 cents in Germany, simply because, on the one hand, Germany was prepared to meet those conditions and England was totally unprepared. The policy which this bill suggests, if carried out by this Government, must inevitably place us in the same situation should we at some subsequent time become involved in a great contest—which I hope will never occur—and will place us in the identical position in which we find England to-day. If we have not prepared ourselves to produce either from a domestic source or through our insular possessions sufficient sugar to supply the American people, we shall find ourselves in the same attitude in which we find the British people to-day. Not only will we have to pay double or thrice the normal price of sugar, but we shall be compelled, in order to enable us to secure the quantity of sugar requisite to supply the American people, to submit ourselves to other difficulties. For instance, over and above the enhanced value of sugar to the British people, because of the war in Europe, we find that within the first year and a half of the contest, while the British people were compelled to pay over $125,000,000 in excess of what they had been paying for the same quantity of sugar in the year and a half preceding that time, in order to get this sugar, she was compelled to encroach upon our source of supply; and the American people, taking no part at all in the war, have found themselves contributing on that one item alone over $175,000,000 because of the advanced price of sugar, through the competition of the British people with us upon the market from which we draw our supply.

I am calling attention to these facts, because the policy which this bill as amended by the Senate Finance Committee would place upon the domestic production must of necessity stop the development of that industry and must of necessity place us in the same condition in which England was in August, 1914, when the great war broke out.

But, Mr. President, looking at the report of the committee with regard to this legislation, I find this statement:

> In making this recommendation your committee regrets that owing to the abnormal conditions, both as respects the revenues and expenditures of the Government, on account of the European war and legislation made necessary by it, the revenue requirements make it inexpedient at this time to dispense with the revenues which will accrue to the Treasury from the temporary continuance of existing duties upon sugar and the other articles of the sugar schedule hereinbefore enumerated.

The committee states that it regrets that it is at this time compelled to permit the continuance of the existing duty for a period of four years. I feel indeed sorry, Mr. President—and I know that the regret which I express at the attitude of the party to which I belong is shared by the people whom I represent, who also lend their allegiance to the Democratic Party—I regret indeed that the party does not find itself able to afford more opportunity, more consolation, as the result of this legislation, than is contemplated by this report and by the utterances of Senators on this side of the Chamber.

We have looked at the sugar situation from many viewpoints; we have had our trials and tribulations in regard to it for the last four years. The industry has been in a condition tottering upon the verge of absolute bankruptcy. Many of those engaged in it in the last few years have gone into bankruptcy; many others have survived by extraordinary efforts to maintain themselves until the prices were enhanced as the result of the war going on in Europe. We had hoped that when this step was taken it would define the attitude of the Democratic Party on this question, and that that attitude would be one affording some opportunity for those in Louisiana engaged in the industry to continue it without having, as they have had for the last three years, the threat of the annihilation of that industry hanging over them. Of course, under this policy, while this tariff will help them during the period of four years in contemplation by this bill, if that is the final action of Congress; yet we must know that, as a result of that policy, there can be no advancement in the development of the industry and that no additional money can possibly be invested in an industry the life of which is fixed by statute and the life of which can not be extended beyond the limitation fixed in the statute.

So, I say, I regret that the people of Louisiana can find so little consolation at this time when the party declares that its purpose to continue the present duty for a period of four years is not dependent upon whether it may accrue to their interest or not; it is not dependent upon whether they are to receive that sort of encouragement at the hands of the party to which they belong; but it depends solely and entirely upon the condition of the Treasury; that their condition is not to be consulted, but solely and exclusively the condition of the Treasury is to be consulted in legislating with regard to that industry. This is a keen disappointment to me, as a Democrat. It will prove a keen disappointment to the Democrats of Louisiana.

I do not want to make it appear that the people engaged in the production of sugar in Louisiana want to be discriminated in favor of by any legislation by Congress. All they ask is to be treated upon an impartial equality with other people engaged in other industries throughout the country. They are not asking at the hands of Congress, they are not asking at the hands of the Democratic membership of the other House or of this that they be selected with a view of being favored, but they do insist upon the declaration of the platform of their party; they do insist that they shall have that same equal and fair treatment that other industries in the country are receiving and are admitted to be receiving under the same bill which we seek to amend here. That that industry should be selected from the other industries of the country, that it should be ordered when not needed, to stand aside or to come forward and deliver whenever the Treasury is without funds, and that it should be turned out of doors whenever the Treasury has sufficient money to administer the Government is not Democratic, and it does not appeal to the sense of fairness and justice of any man; yet that is the attitude in which that industry is placed. The people of Louisiana are told, in substance, as in so many words, "Whenever the Treasury requires you to contribute toward the maintenance of the Government, you can come forward and deliver your share of the taxes to conduct the Government, but whenever we can raise such taxes in some other way then you must stand out and be extinguished, because there is no need for your services." I do not believe that that attitude could be sustained before the American people if that issue were permitted to be presented to them, because their sense of fairness, their sense of justice, would not permit that attitude to be held very long on this floor or elsewhere.

Mr. President, what has been the attitude of the party to which I belong, with regard to this matter, since it has come into power? Just prior to the presidential election the House of Representatives passed a bill putting this article on the free list. When the convention was held at Baltimore that proposition was pending before the Finance Committee of the Senate. After the platform had been written and the candidate of the party had been selected the Senate Committee on Finance reported upon the free-sugar bill which had been passed by the other House and reported as a substitute for the House free-sugar proposition a bill carrying practically the same duty as exists to-day.

Mr. HARDWICK. Mr. President, I do not wish to disturb the Senator, but I want to ask him a question.

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. BROUSSARD. I yield for a question.

Mr. HARDWICK. Will not the Senator admit that the Baltimore platform contains specific approval of the tariff-schedule bills passed by the House of Representatives?

Mr. BROUSSARD. No; I will not admit that, Mr. President, nor will I discuss that proposition. I had intended going over the entire subject matter, but I do not wish to detain the Senate.

Mr. HARDWICK. Very well.

Mr. BROUSSARD. But I will not admit that, of course, nor will I discuss it at this time.

Mr. HARDWICK. Just one other question. Will the Senator put in his remarks the words of the Baltimore platform on that point?

Mr. BROUSSARD. The words of the Baltimore platform?

Mr. HARDWICK. Yes; on the tariff-schedule bills passed by the House of Representatives.

Mr. BROUSSARD. The Senator and I have thrashed that out time and time again, and I could no more convince him than he could convince me. The difference between the Senator and myself is that I was one of those who drafted the platform and the Senator was not. So we can not convince one another.

Mr. HARDWICK. I do not want to bother the Senator, but I only have the knowledge that Democrats generally have from what the committee did and what the convention adopted. I should just like to ask the Senator, so that he will not misrepresent the attitude of the party, to put in connection with his remarks, or read now to the Senate and to the country, what the platform at Baltimore said about the tariff-schedule bills of the House of Representatives, one of which was the bill providing for free sugar?

Mr. BROUSSARD. Mr. President, I will not do that, either. I have stated already that the Senator and I have discussed that on many occasions, and I have no hope of converting the Senator from his conclusions; and, of course, having been one of those who drafted the particular platform in question, I have absolute knowledge of what I speak. I do not intend to discuss that, but I want to present this aspect of the question to the Senate: The House having passed the free-sugar bill, the Democratic convention having been held at Baltimore, the platform having been adopted and announced and the candidate selected, the Finance Committee of the Senate reported back to the Senate and substituted for the free-sugar bill of the House a bill carrying a duty, practically the duty now in the law, and the extension of which is sought to be accomplished by both the House and the Senate bills. Subsequently the passage by the House of the Underwood bill brought to the Senate a proposition on the part of the House as a part of the Underwood bill to impose on sugar a duty of three-fourths of the then existing duty, with free sugar at the end of three years. In that proposition the Senate concurred; so that that provision is in the law.

At this session of Congress the House, finding that the Treasury needs the money, finding that the Treasury can not get along with the duty on sugar abandoned as provided in the Underwood law, continues indefinitely that duty, which is the sensible thing to do, because no one can tell just how long the Treasury will be in need of this 1 cent a pound duty on sugar; no one can tell what two or three or four years may bring, and, furthermore, everybody understands that this Congress cannot bind upon that proposition a subsequent Congress which will sit here four years hence.

Now, what attitude does the committee of the Senate take with regard to the last House action? The Senate committee comes back at the duty fixed by the House at 1 cent a pound, and retorts by saying that, after four years that duty of 1 cent a pound shall cease; in other words, before the assembling of the Baltimore Convention the House favored free sugar and the Senate would not abide by it, but after the convention had been held and the candidate had been elected, at this time the House says that the duty of 1 cent, which was retained in the Underwood tariff law for a period of three years, is necessary to supply the Government with the needed money for its operations; but the Senate says "we will not need it after four years"; and so we propose to legislate for whatever Congress may be sitting here four years hence, all the time holding this threat over that great industry so as to stop its development, so as to prevent an opportunity for securing credit in order to produce the quantity of sugar that could and would be produced under normal conditions in this country. So that it all leads us back to the proposition with which I started, that we are now adopting a policy similar to the policy which England has pursued; and, if, perchance, within any short period of time this country should become involved in any extensive military operations, regardless of whether we are able to reach our base of supply in Cuba, regardless of whether our Navy could insure our commercial vessels reaching the ports from which we draw our sugar, we would find that the competition in those ports would put us at the same disadvantage under which England finds herself at this moment.

If 30 or 40 years ago England had pursued the policy of developing the sugar industry in her tropical islands, and had lent some sort of encouragement to the people engaged in that industry, instead of catering to that trade next to her, which gave her cheaper sugar than could be given by the people who produced sugar on her islands—if she had pursued that policy, at this time, when it is so difficult for her to get the means with which to conduct the great war, she would not find herself compelled to disburse great sums of money in order to supply her people with sugar. So it will be with this country. If we are made to rely absolutely upon the importation of sugar to supply the demands of this country it is inevitably going to result in this country as it resulted in England should we find ourselves engaged in war at any time.

I did not, as I said, Mr. President, intend to deal very extensively with this question, but I did want to express the regret which I feel, the regret which I know the Democrats of Louisiana feel, toward the attitude represented in this report and so often stated upon this floor, that the people of the State of Louisiana must look to a policy under which, if they continue to grow sugar, they must compete with the world without any duty at all, and, if any duty is imposed upon the article, the production of which forms the main industry of the State, it will not be because there is any concern with regard to the people of Louisiana or their investment or their methods of livelihood, but because the needs of the Treasury require that they shall contribute something toward replenishing that Treasury. I repeat, I regret this act of my party, and Democrats in Louisiana join me in expressing this regret, which we all feel in that State.

Mr. SMITH of Georgia. Mr. President, I had expected at this time to move to take up another measure, but I understand there is no objection to proceeding at once to a vote on amendments to the pending bill.

Mr. SIMMONS. That is my understanding.

Mr. SMITH of Georgia. If we are prepared to go on and vote upon the amendments to the pending bill, I do not desire to move to proceed to the consideration of another measure; but if we are not so prepared, I wish to move to proceed to the consideration of Calendar No. 18, being Senate bill 706.

The PRESIDING OFFICER. The question is, as the Chair understands, on the amendment offered by the committee to strike out and insert.

Mr. LODGE. No, Mr. President; I have moved an amendment to the amendment of the committee.

The PRESIDING OFFICER. The Chair stands corrected. The question is on the amendment offered by the Senator from Massachusetts to the amendment reported by the committee.

Mr. LODGE. The amendment I have offered is to add a new section to the amendment proposed by the committee.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts to the amendment reported by the committee.

Mr. SIMMONS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kern	Poindexter	Stone
Brandegee	La Follette	Pomerene	Sutherland
Broussard	Lane	Ransdell	Swanson
Burleigh	Lewis	Saulsbury	Taggart
Chamberlain	Lodge	Shafroth	Thomas
Chilton	Martine, N. J.	Sheppard	Thompson
Clapp	Nelson	Sherman	Tillman
Clark, Wyo.	Norris	Shields	Underwood
Colt	Oliver	Simmons	Vardaman
Dillingham	Overman	Smith, Ariz.	Wadsworth
Gallinger	Owen	Smith, Ga.	Warren
Hardwick	Page	Smith, Mich.	
Hughes	Phelan	Smith, S. C.	
Johnson, Me.	Pittman	Smoot	

Mr. LEWIS. I desire to announce the absence of the Senator from New York [Mr. O'GORMAN], who has been called to his State on official business.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment offered by the Senator from Massachusetts [Mr. LODGE] to the amendment reported by the committee.

Mr. LODGE. Mr. President, I have no intention or desire to discuss this amendment. Its purpose is to place duties on certain dyestuffs and coal-tar products with a view of encouraging the development of that industry here, and the production of those acids which are essential in the production of explosives, and of which we are now almost completely destitute.

I think all the Senators are familiar both with the need of these acids for the purposes of defense and with the great need of the dyestuffs caused by the scarcity due to the war in Europe; and all I desire is to have a vote upon the amendment.

Mr. SIMMONS. Mr. President, I have not read carefully the amendment offered by the Senator from Massachusetts. In fact, I have not read it at all. I did not know whether the Senator would press the amendment or not. I wish to ask the Senator from Massachusetts if this is not the bill introduced in the House by Mr. HILL, of Connecticut, and known as the Hill bill?

Mr. LODGE. It is the bill that was introduced in the House by Mr. HILL, of Connecticut.

Mr. SIMMONS. I wish to ask the Senator what is the average rate of duty provided by it? About 75 per cent, is it not?

Mr. LODGE. Five per cent on the first, all products of coal; 3¾ cents per pound and 15 per cent ad valorem on the intermediates; and 7½ cents per pound and 30 per cent ad valorem on all colors or dyes derived from coal.

Mr. SIMMONS. I have understood that that is about an average of 75 per cent ad valorem. That bill is before the House committee, and there have been some conferences over here with some persons interested in the industry. I do not think even those interested in the industry have asked quite as much protection as the Hill bill affords; and without discussing it, I hope the amendment offered by the Senator from Massachusetts will not prevail.

Mr. UNDERWOOD. Mr. President, I did not intend to discuss this question; but before voting on it I should like to have an opportunity to state my reasons in reference to it.

This amendment seeks, in the main, to increase the tax on what are known as coal-tar dyes. There are some other side propositions in the amendment, but that is the main question. The tax placed on coal-tar dyes in the Dingley bill amounted to 30 per cent ad valorem. Under the Dingley bill a large number of these dyes were imported into this country; but gradually an industry grew up and occupied about 10 per cent of the American field. In other words, we produced at home about 10 per cent of our coal-tar dyes. The other 90 per cent were imported from Germany. I think one reason why a larger percentage of coal-tar dyes was not manufactured in this country was because the textile manufacturers rather slighted the American production, and claimed that the American manufacturers did not make as successful dyes as the German dyes. I have serious doubts in my own mind as to whether that was the case.

When the Payne Ways and Means Committee met to write a new tariff bill after the Dingley rate had been on the statute books for, I think, 14 years, the producers of coal-tar dyes came before that committee, asking for an increase, and the Payne committee denied the increase, claiming that the 30 per cent tax was sufficient. When the last tariff bill was written, and the Democratic Ways and Means Committee was organized, the home producers of coal-tar dyes came before the Ways and Means Committee and did not ask for an increase of the tax. There was a very great demand on the part of the textile manufacturers of the country for a reduction of this tax.

The manufacturers of coal-tar dyes in this country who appeared before the committee—and they were the leading men in the business—stated that they did not ask for an increase; that they could run their business on the present tax, but that to reduce the tax would seriously jeopardize their business. There were five or six million dollars of revenue raised from this source; and after the Ways and Means Committee over which I presided had given careful consideration to the question, in view of the fact that there was a large amount of revenue raised, that the tax was what might be called a competitive tax, because there were large importations coming into the country, and also because the manufacturers of coal-tar dyes were satisfied and asked for no further increase the committee decided not to change the rate in any particular, and passed the bill through the House leaving on coal-tar dyes the 30 per cent that was in the Dingley bill and the 30 per cent that was in the Payne bill, and that is the law to-day. There were some other dyes in the chemical schedule that were increased in the House bill; but when the bill came to the Senate, the Senate saw proper to put them back to the old rates.

Mr. President, that is the historic statement of the facts. At that time there was a very considerable importation of coal-tar dyes into this country. There is practically none to-day. The American manufacturer has almost the undisputed field in the American market; but it is contended that after the war is over this market will be jeopardized by importations from abroad. The same rate stands here to-day that stood under the Dingley bill for 14 years, when the highest protective tariff that was ever on the statute books of this country was in existence, and those who maintain that theory of levying taxes did not find any necessity for raising the tax.

When the Payne bill was written, and the case was presented to them, the importations were coming from Germany; there was nothing to interrupt the importation; but they saw no occasion to raise the tax. The manufacturers came before the Democratic Ways and Means Committee and asked for no increase; and to-day we find the country manufacturing these coal-tar dyes in the main with almost all its men in the army. A great burden of indebtedness is accumulating on that country, and taxes must be higher. The industries of Germany are practically closed down in this line, because they have not had the men nor the market in which to produce them.

The labor required for the manufacture of coal-tar dyes is that of chemists—not ordinary common labor, but men of a high degree of education. They must be college-bred men. Many of those men to-day are buried under the battle fields of France and Russia, and never will come back to the factories again. After this war is over it will be years before this industry in Germany can be reorganized again and put on the competitive basis on which that country conducted it during the time the Dingley bill was on the statute books and the Payne bill was on the statute books.

I do not desire to delay the Senate on the important vote that awaits us this evening to go into a further discussion of this case. With no importations coming into the country to-day, knowing that after the war in Europe is over it will be years before the industry can be reorganized or put in a position where it can again compete as it did, and knowing the further fact that the rate of taxation at the customhouse to-day on the statute books is the one that had the approval of the Republican Party for 16 years, in my judgment, at least, this side of the Chamber should defeat the amendment by a solid vote.

Mr. LODGE. Mr. President, it is quite true that the duty of 30 per cent was imposed in the Dingley bill, but it is equally true that it did not develop the industry. It is equally true that it was not raised at the time of the passage of the Payne-Aldrich bill. The textile manufacturers, the users of dyes, opposed any increase. They wanted it reduced. They felt that they could buy their dyestuffs cheaper in Germany, and they prevailed with the committee then, of which I happened to be a member, and maintained the rate of 30 per cent, under which it had been demonstrated that the industry could not be developed in this country.

I recognized the opposition of the textile manufacturers at that time. I knew how strong it was. I thought they were shortsighted; and now they find themselves unable to procure dyestuffs.

As for Germany having closed down those factories, those are some of the factories she has not closed down. She may not be making dyestuffs, but she is making the acids used in explosives at every factory in Germany where it is possible to make them to-day. That organization is not broken down and will not be.

As to the rates, I merely want to call attention to the statement of the committee of the American Chemical Society at Seattle in September, 1915. It is from the address of the president, Prof. Charles H. Herty, of Chapel Hill, N. C., and he refers to the report of their committee:

> As a guide to what this increase should be, we have the judgment of the committee of the New York section of this society, a committee representative of all interests concerned, in the persons of B. C. Hesse, chemical expert in coal-tar dyes, chairman; H. A. Metz, for the importers; J. B. F. Herreshoff, for the manufacturers of heavy chemicals; I. F. Stone, for the American coal-tar dye producers; J. Merritt Matthews, for the textile interests; David W. Jayne, for the producers of crude coal-tar products; and Allen Rogers, chairman of the New York section. The unanimous report of this committee, which was unanimously adopted by the section, says: "It has been conclusively demonstrated during the past 30 years that the present tariff rate of 30 per cent on dyestuffs is not sufficient to induce the domestic dyestuff industry to expand at a rate comparable with the consumption of dyestuffs in this country and that, therefore, all dyestuffs made from coal tar, whether they be aniline dyes or alizarin, or alizarin dyes, or anthracene dyes or indigo, so long as they are made in whole or in part from products of or obtainable from coal tar, should all be assessed alike, namely, 30 per cent ad valorem plus 7½ cents per pound specific, and that all manufactured products of or obtainable from coal tar, themselves not dyes or colors and not medicinal, should be taxed 15 per cent ad valorem and 3¾ cents per pound specific."

That is the recommendation of the American Chemical Society, and those are the figures followed in the bill. At the present moment, with no dyestuffs coming to this country, if we had the manufacturers here, of course, they would make money; but no one is going to invest money in the manufacture of dyestuffs when he knows that the industry will be destroyed as soon as the war, which at the present moment is a prohibitory tariff, ends.

Mr. UNDERWOOD. Mr. President, will the Senator yield?

Mr. LODGE. I yield to the Senator from Alabama.

Mr. UNDERWOOD. Is it not a fact that a large company is being organized in New York right now to make these dyes? That is my understanding.

Mr. LODGE. I do not understand that any company is ready to go on with this manufacture unless the people interested in it can get some assurance that they will not be ruined, as they have been before, by German dumping.

Mr. UNDERWOOD. I have seen prospectuses sent out, showing that they were seeking to raise capital, some months ago.

Mr. LODGE. I have not heard of the establishment of that industry.

Mr. STONE. Mr. President, will the Senator tell me what would be the total ad valorem equivalent of the figures he read as being recommended?

Mr. LODGE. I have not figured it out. The Senator from North Carolina said it would be 75 per cent.

Mr. SIMMONS. About 75 per cent.

Mr. UNDERWOOD. If the Senator will allow me, as he asks for information, I think the rate of duty proposed—30 per cent ad valorem and 7½ cents a pound specific—would amount to 45 per cent altogether.

Mr. SIMMONS. I have not worked it out. I have simply seen the statement made that it was about 75 per cent, as I understood.

Mr. LODGE. The Senator from North Carolina said it was 75 per cent. I understood it was 45 per cent.

At all events, Mr. President, I think we are now reaping the fruits of our improvidence. If we had given these industries suitable protection we would not now have a famine of dyestuffs and we should be able to supply ourselves with explosives. I am anxious to build up the industry chiefly because I think it is important that we should have a source from which we can draw supplies of picric acid and the other acids used in and essential to the manufacture of explosives.

This duty will, of course, produce revenue, and I think will be of great advantage to the country, of course, from my point of view as a protectionist, in building up the industry; but wholly apart from that, I think it would be of great advantage to the country to have a source for the production of these acids.

I do not care to go further into the discussion.

Mr. STONE. Mr. President, has this amendment been before the Committee on Finance? I mean, has it been acted upon by them?

Mr. LODGE. No; Mr. President. I took it upon myself to offer the amendment.

Mr. STONE. Oh, I am not at all criticizing what the Senator has done. I am asking for information.

Mr. LODGE. Oh, no; it was not submitted to the committee. I simply offered the amendment as an individual Senator, that is all. I hope the Senator does not think I have been disrespectful or have gone beyond my rights in doing so.

Mr. STONE. I have remarked that I did not. It was hardly necessary to make that remark. I am fully conscious of the fact that the Senator is proceeding entirely within his rights.

Mr. SIMMONS. Mr. President, I have no doubt this is a very delightful conversation, but we can not hear it over here.

Mr. LODGE. It was a delightful conversation.

SEVERAL SENATORS. And complimentary?

Mr. STONE. No; it was agreeable.

Mr. LODGE. Perfectly.

Mr. STONE. Mr. President, I am not sure that I am ready to vote on this proposition.

Mr. GALLINGER. For it?

Mr. STONE. I am not sure that I am ready to vote on it—for it or against it. I am impressed with the idea that it is of very great importance to the industries of this country that the subject of the manufacture of dyes should be given very thoughtful and attentive consideration. Just what ought to be done with respect to it, I am not prepared to say to my own satisfaction. I should have been glad to have this measure considered fully by the Committee on Finance, and all the facts gone into and the needs of the situation well understood. While it is true that 30 per cent ad valorem has been the tax prevailing for a great many years, that fact alone is not sufficient to satisfy me that it is the rate that ought to be prescribed.

I feel that this is rather an exceptional case—the making of dyes—the building up of the dye industry in the United States. I could go on here giving some reasons that impress me, at least, but I do not care at this time to go into it or to provoke discussion with regard to it. I should have been very glad, however, to have the matter made the subject of a sufficient inquiry and discussion, to have had the facts laid before us afresh, to enable us to pass upon it with a greater degree of intelligence, I think, than the Senate is about to pass upon it.

While the Senator has acted with great propriety and entirely within the limits of his rights, I regret that he has seen proper to throw this matter into the Senate in this connection.

Mr. LODGE. Mr. President, I agree with the Senator from Missouri that this is an exceptional case. That is the only thing that led me to offer the amendment—not because I do not think there are other items in the tariff law which ought to be changed, but because I think this is very exceptional.

Last summer the Secretary of War pointed out to the country the necessity of building up the dyestuffs industry, with a view to the manufacture of explosives. The matter has been before the committee. I have heard reports that the party responsible for legislation were about to bring it forward, and I have been hoping that they would do so. I should have been glad to unite with them in any legislation looking to the building up of this industry, which I think involves a great deal more than the mere question of a rate of duty or a rate of taxation or the development of an industry. Nothing has been done, however, and the winter has gone, so I have offered this amendment. I wanted to bring it to the attention of the Senate. I have offered it in the form recommended by the American Chemical Society, and embodied in a bill by Mr. HILL, of Connecticut, in the House. I merely wish to bring it to the attention of the Senate and ask a vote upon it.

Mr. SIMMONS. Mr. President, I do not desire to discuss this matter, because I do not think the Senate is likely to adopt as an amendment a bill that is now pending in the other House and is being given, by the Ways and Means Committee of that body, very serious consideration. While I have not the remotest idea that they will adopt this particular bill, I think the probabilities are that that committee will bring out some bill to meet the extraordinary situation which the Senator from Massachusetts and the Senator from Missouri correctly state exists with reference to this particular industry.

As chairman of the Committee on Finance, I have myself had a number of consultations, together with other majority members of the committee, with persons interested in this industry. Last week I held quite a lengthy conference with certain gentlemen who represent jointly the manufacturers of dyestuffs and colors and acids and the textile manufacturers. I was given to understand that they did not desire, nor did they need, the great increase provided in the Hill bill. They were not asking for that; neither did they think that their industry had been altogether suppressed in this country by reason of inadequate tariff protection. They rather attributed—and I think there is good ground for that—the fact that the industry in this country has not developed under the high protective rates that have obtained heretofore, especially those that obtained a great many years ago, that were much higher than the Payne-Aldrich rates, to the fact that certain countries in Europe, by combination, had acquired a world monopoly, and had employed to suppress the development of the industry in this country the methods that are ordinarily employed by trusts. I understand that these gentlemen desire some protection against that; and, as the Senator from Massachusetts has said, the Secretary of Commerce and his force up there, in connection with the Bureau of Foreign and Domestic Commerce, have been working upon that side of the question.

Mr. President, I have no doubt during the session, both on this side of Congress and the other side, this matter will be given serious consideration, and of course there ought not to be any action regarding a matter so important upon an amendment offered here to another bill, which has never been before the committee and which has had no consideration whatever.

Even under the present circumstances the dye industry in this country is making very rapid progress. The Senator referred to some large industry established in some other State than the one I have in mind. In my own State I read the other day a very interesting account of arrangements which have already been perfected for the establishment at Sanford, in that State, of a very large plant for the manufacture of dyestuffs, and all over the country they are beginning to establish factories for this purpose. I have here a statement contained in a speech made not long since by Dr. Edward Ewing Pratt, who is Chief of the Bureau of Foreign and Domestic Commerce of the Department of Labor, in which he says:

> Since the outbreak of the European war the American coal-tar dyestuff industry has made great strides forward. The factories in existence at that time have greatly increased their output. New establishments for the manufacture of intermediates have been brought into existence. Thousands of tons of benzol and coal tar heretofore recklessly wasted are now being saved and utilized.
>
> The census of manufactures taken in 1909 reported the total output of coal-tar dyestuffs manufactured in this country to be 5,890,000 pounds, valued at $1,813,000. The output was probably much increased over these figures at the time of the outbreak of the European war. Since that time the five domestic concerns manufacturing dyestuffs have doubled their outputs. Another factory, the branch of a large German firm, has greatly increased its output. Still another factory manufacturing aniline has quadrupled its output.
>
> But the great need and the great demand for dyestuffs have also brought many new concerns into the field. There are now nine new plants making aniline and intermediates. Their total output is approximately 18,000 pounds daily. One new plant for manufacturing

dyestuffs, capitalized at $2,000,000, is now in existence, and is producing at the rate of 1,000 pounds daily. Another plant will be ready for operation about November 1. Another company, capitalized at $15,000,000, has started plans for extensive works in different sections of the country.

Our total production of coal-tar dyestuff materials at the present moment is probably over three times the production prior to the European war.

Mr. President, I do not wish to discuss this matter any further. I hope we will now have a vote.

Mr. BRANDEGEE. Mr. President, I think this is a very important amendment. The Senator from North Carolina states that there is a bill pending in the House, but I understand the House committee has not even reported the bill.

Mr. SIMMONS. They have had hearings, I will say to the Senator, and quite extensive hearings, showing that it has been considered there.

Mr. BRANDEGEE. I understand. I had no idea this amendment was to be offered by the Senator from Massachusetts, and I am free to say I am not prepared to discuss the matter extensively; but when the Senator from Massachusetts stated that his amendment was the bill introduced by Mr. HILL, of Connecticut, I turned to the RECORD to see what he had said about that question in the House. I find here in the RECORD under date of February 14, 1916, on page 2523 of the RECORD, the remarks of Mr. HILL upon this industry, upon its history, upon the various rates of duty which have been imposed upon these articles in the past, and there are certainly some most astounding statements in his speech, astounding in that they show the absolute dependence upon—not to say abject subjection of this country to—Germany in this whole question of dyestuffs and acids and chemical products.

I will read just one extract, which is the testimony of Dr. Pratt, who is the chief of the Bureau of Foreign Commerce, and it is said to appear on page 202 of the hearings. He says:

The European artificial dyestuff industry is more than a large and prosperous industry. It is a highly organized combination of manufacturers seeking not only to enlarge their output and to compete with similar manufacturers in other parts of the world, but carrying on a definite industrial program looking to the control of the market and the ultimate elimination of important competitors. This factor in the situation has made it practically impossible for the American dyestuff industry up to the present time to get a really firm foothold, and has made it necessary for us to import a large proportion of our dyestuffs and has placed us in the position where we find ourselves to-day, practically in the midst of a dyestuff famine.

The methods used by the European dyestuff manufacturers should not be unfamiliar to us Americans. When an American manufacturer has developed a certain dye and is selling it in considerable quantities the European manufacturers have suddenly reduced the price far below the actual cost of production, either in this country or abroad, and hence the American manufacturer has been forced to withdraw quite rapidly from the manufacture of that particular dye. These unfair methods of competition on the part of our competitors in Europe would not be tolerated for a moment under the recent trust legislation except for the fact that those who are responsible for these methods are not amenable to the laws of the United States.

In glancing hurriedly over this speech of Mr. HILL numerous instances are given of the situation of our manufacturers at present. In reference to one concern it is testified that it was compelled to pay for its dyes alone over $300,000 more during 1915 than it did during 1914. We all know—every Senator and Representative knows—the distress that all the producers of textiles who use these dyes have been in during the last year.

I am very glad the Senator from Massachusetts offered this amendment. If there is a similar measure pending in the House, it seems to me Democratic Senators might well enough allow this amendment to go to conference, and if the House committee intends to do anything to help relieve this famine and the extortion of our citizens by this foreign trust—for it is a great foreign trust—they can, if they choose, modify what we propose and let the conference committee report out what may be agreed upon in conference and put it on a bill that will stand some chance of getting through both Houses at the present session.

Owing to the situation of the public business in the House, the amount of time taken up on contested matters, I am free to say that I am not at all optimistic that any legislation on this subject which will be of any substantial benefit will receive any consideration worthy of the name on the floor of the House if reported out as an independent measure. I think if our Democratic friends are as sincere in their desire to try to make this Nation not utterly dependent upon a belligerent for this great necessity, now is the chance to demonstrate it and let this amendment go on the bill and go to conference at least. They will control both branches of the conferees, and no damage will be done by letting it go there and getting some consideration.

While I wish I were better prepared to speak upon this matter than I am, I felt that I would like to say as much as I have said.

Mr. BRANDEGEE subsequently said: Mr. President, I should like to have permission to have incorporated in the remarks which I made a few moments ago a letter to Mr. LONGWORTH, of the House of Representatives, and also a letter from the Secretary of the Treasury to the Speaker of the House, which appear on page 5247 of the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letters referred to are as follows:

NEW YORK, *February 23, 1916.*

Mr. NICHOLAS LONGWORTH,
Room 319, House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: I have just read the copy of Congressman HILL'S speech before Congress on the dyestuff bill (H. R. 702), and on page 11 I read that yourself and Mr. HILL discussed the writer's statement before the Ways and Means Committee regarding our recent dyestuff purchases in China.

In order to have the matter entirely correct in your mind, I would say that you will find, on page 119 of the printed hearing before the Ways and Means Committee on the dyestuff bill that the writer answered your question as to exorbitant cost of dyestuffs, stating that my company had just paid $5.75 a pound for aniline black (made by Badische, in Germany), which we had purchased from China.

These identical goods in normal times would have cost us 20 cents per pound, or a total of $1,748, whereas we are now compelled to pay more than $52,000.

Since that time we have made another purchase of same goods from Shanghai, paying $7.50 per pound instead of $5.75, and on February 14 last we were quoted $12 a pound for exactly the same material from China.

This latest quotation means an advance of 6,000 per cent over the normal before-the-war figure of 20 cents per pound.

Yours, very truly,

R. H. COMEY CO.,
GEO. W. WILKIE,
For the Company.

—

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, March 9, 1916.

SIR: Owing to conditions arising out of the European war, the Bureau of Engraving and Printing, which prepares all Government notes and other securities, national-bank notes and Federal reserve notes, postage and revenue stamps, and currency of the Philippine government, has found it impossible to purchase colors for inks in sufficient quantities in the United States to carry on its work. It has been compelled for over a year to use cheap and unsatisfactory substitutes for some of the colors, and as time has gone on even these substitutes have become more and more difficult to purchase, and it seems to be only a question of a short time until the supply of them will be exhausted. At present the Bureau of Engraving and Printing has only two weeks' supply of reds and blues, which are the most important colors used by it.

Some time ago an order for 145,000 pounds of blues and reds was placed in Germany, and through the assistance of the State Department permission was granted for the exportation of these colors. The first of several consignments has just reached this country. Under the tariff act some, if not all, of these colors are dutiable, and it seems to me it is proper at this time and under these conditions for Congress by joint resolution to authorize the importation of all of these colors free. It is impossible to buy these colors here. The prices that are now paid for them in Germany are higher than the prices before the war plus the duty. The duty will be approximately $12,000, and it will be necessary to go to Congress for a deficiency appropriation if this duty is paid. There can be no question of this importation injuring in any manner any American industry.

I therefore have the honor to request that a joint resolution authorizing the admission free of duty of approximately 145,000 pounds of dry colors, valued at $40,000 to $50,000 (the exact amount not being determinable at this time owing to the fluctuations of exchange), from Germany for the use of the Bureau of Engraving and Printing, the same having been ordered December 10, 1915, and shipment being made to and in the name of the Secretary of the Treasury, said colors to be exclusively for the use of the Bureau of Engraving and Printing, may be passed by Congress. As part of these colors has already been shipped and some of them are now in this country, I request that immediate action on this resolution may be taken, if possible.

I inclose herewith a suggested form of resolution.

Respectfully,

BYRON R. NEWTON,
Acting Secretary.

HON. CHAMP CLARK,
Speaker of the House of Representatives.

Mr. JOHNSON of Maine. Mr. President, I am ready to vote at the proper time for any duty upon dyestuffs that may be necessary to establish or encourage their manufacture in this country and to make our textile mills independent of the manufacturers abroad for all the dyes which they use. But it seems to me we ought to have more information than we have at present, and that this is not the proper place to introduce the amendment and call for action on this very important matter.

I remember very well having something to do with the chemical schedule of the last tariff bill, as a member of the Finance Committee, and the attitude of the textile mills of New England toward any additional duties on dyestuffs. I recall that the Underwood bill, as it came to the Senate from the House, carried a duty upon anthracene and alizarin, and dyes derived from them, and upon indigo, which had hitherto been upon the free list, and I remember the attitude of all the textile mills of New England, and largely throughout the country, in regard to an increase of duties or placing duties on articles which had

theretofore been on the free list. There were protests and delegations visited Washington. I remember they came from some of the mills in New England which were large users of these dyes.

I realize that there is a hardship at this time, that they are compelled to pay largely increased prices owing to the cutting off of the importation of dyes which they are compelled to use; but, with no chance to investigate the matter, with no hearings by any committee of the Senate, with no investigation and no report, it seems to me we have no information upon which to act, as to what the duty ought to be now, and what action should be taken. I say this in explanation of the vote which I shall cast.

Mr. SIMMONS. I may say that in an informal way the committee has been considering it.

Mr. JOHNSON of Maine. But not the committee of the Senate; the committee of the House.

Mr. SIMMONS. The committee of the Senate in an informal way, the members of the committee, certainly myself as chairman, have been considering and studying the data, conferring with those interested both in the manufacture of dyes and those engaged in the textile industry.

Mr. JOHNSON of Maine. I am very glad to have that information from the Senator from North Carolina, but I do not understand that any bill is pending or has been referred to the committee for consideration.

Mr. SIMMONS. No.

Mr. JOHNSON of Maine. I simply wished to say this in explanation of my vote at this time.

Mr. SMOOT. Mr. President, I can not see that it makes any difference whether this amendment has been referred to the Finance Committee or not. There never has been a tariff bill presented to the Senate since I have been a Member when there have not been amendments offered that had never been referred to the committee.

Mr. SIMMONS. If the Senator will pardon me——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Certainly, for a question.

Mr. SIMMONS. Of course the Senator understands that no one is questioning the right of the Senator from Massachusetts to offer the amendment in this way, without having it go before the committee?

Mr. SMOOT. I understand that; and I also understand that I have no apology or excuse to offer for my vote on this amendment as Senators on the other side of the Chamber are doing. I do not have to get up on the floor of the Senate and say this is not the proper time to vote for it. I know as well as I know I am alive that the present rate of duty will never fully establish the industry in this country. I have said so upon this floor not once but a dozen times. When the manufacturers of the East were here, as the Senator from Maine has said, pleading that the rate be not increased, I have always said that it was selfishness upon their part, and now the conditions of the world are such that it has brought it home to them and they find themselves next to helpless.

Mr. President, it is not only the coal-tar dyes that need protection in the chemical schedule, it is the schedule as a whole. Since the passage of the tariff act I have called the attention of the Senate upon two occasions to the utter destruction by it of the manufacture of chemicals in this country. The machinery has been thrown to the junk pile, and that, Mr. President, will continue if there is no change in this schedule after the war is over and matters become normal.

Mr. OWEN. Mr. President, will the Senator yield for a question?

Mr. SMOOT. Certainly.

Mr. OWEN. What is the average duty now on the chemical schedule?

Mr. SMOOT. Does the Senator mean taking the schedule as a whole?

Mr. OWEN. Yes; all the way through.

Mr. SMOOT. I should judge about 23 or 24 per cent, although I have not looked it up of late.

Mr. OWEN. What is the labor cost?

Mr. SMOOT. I would say that the labor cost in a few classes of chemicals is very low indeed. There are others where the labor cost is as high as 85 per cent. So I can not state to the Senator what the average would be.

Mr. OWEN. The reason why I called the attention of the Senator to it was because the average, as shown by the tariff bill in 1909, when those figures were made up, was 8 per cent as against 28 per cent average. The labor cost was only 8 per cent on an average, while the total levy was 28 per cent.

Mr. SMOOT. I do not know who made up the figures, but if there is any man in this country or any other country who says the full line of chemicals and dyestuffs as covered by the chemical schedule in the tariff law of 1913 is only 8 per cent says something that is absolutely untrue. It can not be. I do not know who made up the figures, but they are wrong, or else the Senator from Oklahoma has misunderstood his informant.

Mr. OWEN. Mr. President, if the Senator will permit me, I will state that the 28 per cent was made up by the Committee on Finance of the Senate, and the 8 per cent was made up by figures which I found in the census and which I made up myself, and I know, therefore, they are correct.

Mr. SMOOT. If the Senator made them up himself, he certainly missed a great part of the cost of manufacturing chemicals. There is no question about that.

I am not going into a discussion of the tariff question at this time. I am ready to vote upon this amendment. I think it ought to be adopted, and I believe myself there are many Democrats in this body who believe it ought to be adopted. If you are going to build up this industry, I say it will not only require a change in the coal-tar paragraph, but it will require a change in the whole schedule, and the sooner it comes the better it will be for the country.

Mr. NORRIS. Mr. President, I dislike very much to be required to vote on this amendment with the information the Senate has before it. For some time now we have read a great deal in the press, including some statements from officials to the effect that there ought to be action by Congress in regard to the dyestuff proposition. I am not certain if the evidence were produced that I would not support this amendment. I would like to vote for a law that would bring about the development of this industry. But we have here offered from the floor of the Senate an amendment which has not received the consideration of any committee or of any official. No investigation has been made as to whether the rates fixed in the amendment are reasonable and fair, and no Senator has offered, at least to my satisfaction, any evidence showing that the rates provided for in the amendment are proper and just.

I am not finding fault with the Senator from Massachusetts for offering the amendment on the floor of the Senate without the consideration of the committee, and we could consider and act on it if it were on a subject of which we had general knowledge or on which the Senator could give us definite information as to the cost of production and other things that ought to be taken into consideration in fixing a just tariff. I should like to vote for a bill or an amendment that would develop this industry. It seems to me the desirability of its development has been shown by recent events during the war. But the tariff now on the statute books is one that was placed there a great many years ago. I understand it was in the Dingley law; that it was in the Payne-Aldrich law, and that it is in the present Democratic law without any change. If those different changes of the tariff had made a change in this rate, we would have had something on which to base our judgment, but it does not seem to me to be quite fair to expect us to vote for tariff rates upon an important question like this without having some evidence as to what would be a fair and sufficient tariff to develop the industry. It certainly is not a scientific way of making a tariff bill, especially upon the subject of dyestuffs, as to which Senators are not informed and the ordinary person has no direct information.

Therefore it strikes me that it is my duty to vote against the amendment. I do so without intending to condemn it or to say that I should not vote for it if the proper showing were made in its behalf.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. I ask for the yeas and nays on the amendment, Mr. President.

Mr. SHERMAN. Mr. President, I shall not consume very much time, but some question has been raised as to whether or not there is any satisfactory evidence before the Senate on the wisdom or unwisdom of the amendment which has been offered by the Senator from Massachusetts [Mr. LODGE]. The Secretary of Commerce has given us divers kinds of advice on a great many subjects, and among them is the line of merchandise mentioned in this amendment. The only criticism I have to make on his suggestions is the manner in which he describes the dyestuff industry in this country. He refers to it as an "incipient industry." I might criticize the phrase, but we have government by phrase making now very largely, and this is probably in keeping with other branches of the service. I have understood that the word "incipient" ordinarily applied to various epidemics, such as smallpox, measles, and the like, but I never understood that an industry in this country was classified as a disease, except by this administration. This

industry is referred to as an "incipient industry." It may have been an inadvertence or it may have been intentional, but with this preliminary explanation, Mr. President, I wish to read what Secretary Redfield said. I unfortunately did not observe in the dispatch in which this address was reported the particular place where it was delivered, and I am now trusting to my memory in order to give it a habitation. I think, however, it was at Trenton, N. J., in which he used the following language, which I commend to my brother from Nebraska [Mr. NORRIS]:

> Capital hesitates under existing conditions to embark heavily in an undertaking where there is a strong probability, if not a certainty, that upon the return of normal conditions an incipient, half-developed American industry would be exposed to prolonged and relentless underselling by foreign competitors possessing almost boundless resources, financial and technical.

Mr. NORRIS. Mr. President, will the Senator from Illinois yield to me?

Mr. SHERMAN. Certainly.

Mr. NORRIS. I should like to ask the Senator if he has any evidence before him in regard to the rates which are proposed in this amendment? Are they fair? Would they develop the industry? Are they too high or too low?

Mr. SHERMAN. I can only give the Senator an opinion. There is nothing in the recommendation made by the Secretary of Commerce bearing on the subject.

Mr. NORRIS. I understand that. The question upon which I was particularly seeking light was not so much as to whether we should pass some law for the development of this industry, but what ought to be the rates in such a new law.

Mr. SHERMAN. Does the Senator ask whether the rates proposed in the amendment are reasonable or fair or otherwise?

Mr. NORRIS. Yes.

Mr. SHERMAN. I can only give my own opinion that I have formed upon such investigation as I have been able to make and such information as I have been able to gather in a general way without any special knowledge of the industry. I will say that I am willing to vote for the amendment. I believe the rates proposed in it are not out of the way in view of the condition that we are now facing.

Mr. SMOOT. Mr. President, will the Senator from Illinois yield to me?

Mr. SHERMAN. Yes.

Mr. SMOOT. In answer to the question asked by the Senator from Nebraska [Mr. NORRIS]——

The VICE PRESIDENT. Does the Senator from Illinois yield for a question or for a speech, or does he yield the floor?

Mr. SHERMAN. Well, I do not understand the ruling that was made the other day, but that does not make any difference. I am perfectly willing to yield the floor if it is necessary.

Mr. SMOOT. I will not proceed.

Mr. SHERMAN. I am unable to state what the rule is in the Senate. We voted both ways on it. I am willing to yield the floor to the Senator from Utah.

Mr. SMOOT. I do not want the Senator to yield the floor to me.

Mr. MARTINE of New Jersey. Since this inquiry——

Mr. GALLINGER. Mr. President, I think we had better not have another speech.

Mr. MARTINE of New Jersey. Well, it is not——

The VICE PRESIDENT. Just a moment. Does the Senator from Illinois yield?

Mr. MARTINE of New Jersey. I thought the Senator from Illinois was about to take his seat.

Mr. SHERMAN. No, sir. I will not yield to the Senator from New Jersey except for a question, but I shall be very glad to yield for a question.

Mr. MARTINE of New Jersey. I thought the Senator from Illinois had concluded his remarks.

The VICE PRESIDENT. The Senator from Illinois has not concluded.

Mr. MARTINE of New Jersey. Very well.

Mr. SHERMAN. I shall be glad at any time to yield to the Senator from New Jersey for a question.

Mr. MARTINE of New Jersey. My purpose was not so much to ask a question as it was to give——

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. MARTINE of New Jersey. I will say what I desire to say later.

Mr. SHERMAN. Mr. President, I have myself enough information to vote for the amendment proposed by the Senator from Massachusetts, and I sincerely hope that the amendment may be adopted. It will not only furnish the ground upon which this industry may recover itself, but it is to be hoped it will produce some additional revenue; and while that is not the primary purpose of many of us on this side of the Chamber, yet it is a matter that ought not to be cast lightly aside. We are needing some additional revenue. If the amendment should be adopted, upon both grounds it would, in my judgment, be a very wise provision. While we can not originate money bills, we can by way of amendment propose them and send them across to the other House, and in that way give them at least a valid excuse to consider them before a committee. So, in the case of this amendment, if it should be adopted by the Senate, it would be an indication that we are soberly considering the question involved.

Mr. MARTINE of New Jersey. Mr. President, apropos of this matter and since this discussion on the question of dyestuffs, prompted by the amendment of the Senator from Massachusetts [Mr. LODGE], I called up the Department of Commerce to learn as nearly as I could what the situation might be. A number of gentlemen in New Jersey interested in the manufacture of aniline dyes have appealed to me by letter and some have called on me personally. A day or two ago I had occasion to go to Jersey City, where I noticed a number of large plants devoted to the manufacture of dyes and dyestuffs, and I observed that enormous additions to them were being built. Hence I was prompted to make inquiry of the Department of Commerce. They tell me that we are now manufacturing in this country a little over half the amount of dyestuffs we consumed before the war. So we are not utterly prostrate and do not need the tickling of an additional tariff.

I then inquired of the department what their knowledge was as to the construction of plants for the further manufacture of aniline dyes, and they informed me that under the present tariff the dyestuff plants are putting up additions on all sides, and the only difficulty now is not the lack of capital, because capital is freely and plentifully offered, but the only trouble is to get adequate quantities of machinery required for the manufacture of these dyes. The tariff seems amply adequate, according to the department, for the establishment of plants and the manufacture of all the needed dyes.

Now, this eternal call for a little more, this cry "hold me up by the chin that I may survive a little longer," is not only heard with reference to dyestuffs but it is heard with reference to sugar, and to the sugar bill the amendment of the Senator from Massachusetts is sought to be tacked on. I want to say for myself as to the sugar question that I believe sugar is vitally necessary for the welfare of man, and, in addition, in ordinary slang parlance it is sometimes said when we have money with which to buy that we have "the sugar." So sugar is necessary not only in connection with the purse but for our physical well-being.

This question was all thrashed out before the people some time ago, and in the Senate of the United States we pronounced in favor of a free breakfast table. That was our slogan, and with that slogan we went before the people. We promised a free breakfast table to the people, and we voted for it. They believed in it, and I believe in it as much now as ever; but there has been a perpetual propaganda on the part of a few men—and there are comparatively few interested in the sugar industry—and they have been keeping up the never-ending clamor that we must continue the tariff on sugar. I have heard it right along from the day we pledged ourselves to vote for free sugar.

The brief visit I made to Hawaii during the past summer opened my eyes as to sugar. If there ever was a sugar oligarchy on God's footstool, I know it is the sugar oligarchy in the islands of Hawaii, now a part of the United States. I have been advocating free sugar, and I told my friends in New Jersey that I was in favor of abolishing the duty of 25 cents a bushel on their potatoes. I voted for that conscientiously, and they are getting a better price for their potatoes now than they ever did before. I voted for that with all the relish in the world; and yet I now find myself confronted with a situation where I must vote to impose a duty on sugar. We are all agriculturists in a way, though there are very few of us who are real farmers; but I should like some one to find me a product known to man and cultivated in the United States that will produce a return equivalent to the return produced by sugar in the islands of Hawaii; and yet under the provision of the pending bill we are to continue longer the duty on sugar. In Hawaii the product runs from a minimum of 3 tons up to 5 and even 7 tons, not of sugar cane but of raw sugar, per acre. Put that into dollars, and then I ask you, with what grace can our Democratic Party go before the people and advocate a duty on sugar?

I am not telling tales out of school, but you all know that the Democratic Senators had a caucus, and it was agreed that we should support the bill which has been presented by the distinguished chairman of the Finance Committee, the Senator from North Carolina [Mr. SIMMONS]. I there voiced my protest and

cast my vote against it, but I was so overwhelmingly buried—there was but one other, I think, who voted "nay" with me—that finally, in deference to the opinion of my party and their counsels, but much against my judgment, I agreed to vote to continue the tariff on sugar; but, so help me, I will not vote for an increased tariff on dyestuffs while present prospects are so good.

Mr. BRANDEGEE. Mr. President, will the Senator from New Jersey tell me whether the Department of Commerce informed him that in this country we are only making 2 colors out of a total of 1,800 different colors made by German manufacturers of dyestuffs?

Mr. MARTINE of New Jersey. They did not say that; but, since the Senator has brought that out, they said that we do not produce the same variety of colors as is produced in Germany.

Mr. BRANDEGEE. I think that agrees with my statement.

Mr. MARTINE of New Jersey. Well, that is all right.

Mr. LODGE. We are making about 15 colors, while there are about 1,800.

Mr. MARTINE of New Jersey. I do not know whether 1,800 is absolutely the correct number, but I understand that it depends very much upon a man's condition as to how many shades he sees in the rainbow. [Laughter.]

Mr. SMOOT. Mr. President, there has been an intimation, if not a direct statement, that the rates upon coal-tar dyes are the same to-day as they were under the Dingley law, but I wish to call attention to one difference. When the Dingley law was in operation there was a rate of duty upon coal-tar dyes of 30 per cent, as stated by every Senator who has mentioned the subject, but the Senate has not been informed that under the Dingley law all the intermediate products came in free. There is a long list of them, and therefore I will not read them to the Senate, but any Senator who is interested can look up the paragraph and find them.

Some of these products are absolutely necessary to the dye manufacturers of this country, and they are required to get them from Germany. Many of them are made nowhere else. Many of them are the products that go into the thousand different colors that are not manufactured in this country. The Underwood-Simmons law, instead of leaving those products that could not be made in this country upon the free list, imposed a duty upon them of 10 per cent. Therefore the coal-tar dye manufacturers of this country are not in the same condition as they were under the Dingley law.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. SMOOT. Certainly, I yield.

Mr. NORRIS. I want to ask the Senator a question.

Mr. SMOOT. I yield for a question.

Mr. NORRIS. It seems to me that that emphasizes the fact which I previously endeavored to state—that we are not now in a position to legislate intelligently on this subject. I should like to ask the Senator whether, if, instead of adopting the amendment of the Senator from Massachusetts, we should put on the free list the other ingredients which he has mentioned and which it is necessary to use in order to make these dyes, would not that bring the proper relief and would not that be better than to increase the tariff on these commodities?

Mr. SMOOT. It would bring a certain relief, I will say to the Senator, but not such relief that the business could live after normal conditions in the world are established.

Mr. NORRIS. How can the Senator say that? What evidence—and this is one of the things I wanted to find out—has the Senator as to the cost of the manufacture of these articles here and abroad?

Mr. SMOOT. Mr. President, I have called the attention of the Senate many times to the facts showing the difference in the wage paid in Germany and in this country, beginning with the chemist down to the very lowest class of labor engaged in the manufacture of chemicals; and I say to the Senator now that the wage paid in German institutions in the manufacture of chemicals and dyes is not to exceed one-quarter of the wage paid in this country. And I want the Senator to understand that in stating that I say it because I know it. Another thing is that the German people as a people have made a study of the question of making and manufacturing dyes as no other people on earth have done. They produce alizarins, which we never produce in this country. They produce a thousand kinds of colors for which the world depends upon Germany, and, Mr. President, the policy of Germany has been in the past, wherever there is established anywhere in the United States a factory of any size for producing chemicals, to ship into this country, even if at prices below cost, until they closed the American factory.

I could call the attention of the Senator, if he wanted it, this afternoon, and if I had the time, to a dozen such instances. Not only that, Mr. President, combinations are allowed in Germany, and they have been made so powerful in capital and organization that no matter in what part of the world other people begin to manufacture chemicals, the German combination simply go to work and undersell until they close them up, and the balance of the world pays the amount that is lost in advance prices until it is accomplished. I do not state this on hearsay. That is stated in reports from Germany herself.

Mr. President, it seems to me that any Senator who desires to see this industry established in this country should vote for the amendment that has been offered by the Senator from Massachusetts. It is 30 per cent ad valorem and 7½ cents per pound specific duty, and on some things I think that would amount to perhaps 75 per cent, and maybe more on some of the cheaper articles. Upon the great quantity of them, the high-priced products, it would be less than that, not to exceed 40 or 45 per cent. It seems to me, Mr. President, that what the country is passing through now, the condition in which we find ourselves, ought to teach every Senator who has a vote to cast to establish this industry in this country that now is the time to do it.

I want to say, further, Mr. President, that you will find that the clothing that the people wear in this country will not be so fast in color as it has been in the past, because we are not prepared to make the required product. I say that we never will be prepared unless we have a protective tariff sufficient for the manufacturers of this country to get established. I know that the rate proposed in this amendment is none too high to accomplish that purpose.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield to me just for a question?

Mr. SMOOT. I will.

Mr. MARTINE of New Jersey. I wish to ask for what reason the Senator can ask for this additional duty, when, if these statements are correct as I get them from the department, capital is to-day, under the present duty of 35 per cent——

Mr. SMOOT. Thirty per cent.

Mr. MARTINE of New Jersey. Thirty per cent—capital is to-day rushing in and building up the plants as rapidly as it can. The department says that the only delay is due to the fact that the manufacturers can not get the machinery. If that is so, why does the Senator ask for more duty?

Mr. SMOOT. Why, Mr. President, the capital that is going into this business to-day expects, and rightfully expects, that it will be more than a year before the plants in Germany get established in making these products again in the quantities that they used to, and the manufacturers know that at the prices they are paying to-day, if they can get one year's run, they will nearly clear the cost of their mill. I want to say to the Senator that the reds that are used in printing our currency we used to buy for 40 cents a pound, and the Government of the United States is paying $4 per pound for them to-day. How long it will take a manufacturer to make his plant clear, and perhaps make a profit, the same as the manufacturers of munitions of war are making to-day—and I was going to say a great many other industries in this country. But as soon as the war is over a change will come.

Mr. BRANDEGEE. Mr. President, will the Senator yield for a question?

Mr. SMOOT. I will; for a question.

Mr. BRANDEGEE. Is it not a fact that even if Germany were producing these dyes in sufficient quantities to-day, they could not be gotten into this country?

Mr. SMOOT. It is absolutely true.

Mr. BRANDEGEE. Is not that one good reason why capital would go in, having the entire American market, and only being able to supply half the demand, if it is up against no foreign competition at all?

Mr. SMOOT. Yes, Mr. President; and I want to say to the Senator from New Jersey that if he will go with me I will show him invoices for coal-tar dyes two years ago and invoices for the same colors purchased the last three months, and he will find that there has not been a slight increase of 10, 15, or 20 per cent, but he will find that there has been an increase in some instances of hundreds of per cent.

Mr. MARTINE of New Jersey. I realize all that.

Mr. SMOOT. And, Mr. President, it is natural under the conditions existing. Many of the manufacturers can not get what they want even with the prices asked and they are willing to pay, and the products that they are manufacturing to-day are not what the manufacturers of this country want. Blacks and light colors are being used as much as possible, in order that the American manufacturer will secure dyes in sufficient qualities to run the mills. I think, of course, the American customer, under the circumstances, will recognize this fact

and make his purchases accordingly; and I will say it is safer to buy a straight black this year than any other color, if fastness of color is desired.

Mr. MARTINE of New Jersey. I should like to ask the Senator whether there is any assurance that if we should adopt this bill we will get the rebate, and get clear down to the original prices again? With the subsidy to the dyestuff manufacturers that they will be granted under this additional stipend that the amendment of the Senator from Massachusetts proposes, they will not lower the prices. They will hold the prices up just as high, even after the war, as they are to-day.

The VICE PRESIDENT. This is not a question.

Mr. SMOOT. Mr. President, in answer to the question of the Senator from New Jersey, I will say that when normal conditions exist in the world again, competition will then bring prices down. I will admit that the increase in this rate, which is 7½ cents per pound, will in many, many cases enable the manufacturers of this country to proceed with the manufacturing of coal-tar dyes. In many cases it will not. But I will say to the Senator that 7½ cents a pound on the dyestuffs which cost a dollar a pound that go into the manufacturing of his clothing would not amount to one-tenth of a cent a yard. The Senator would not buy his clothing for any less; no one would; but perhaps we can have American labor make these products, instead of the products being made in a foreign country. That is the object of the amendment, and that is the only reason why I would vote for it.

Mr. VARDAMAN. Mr. President, I ask that the amendment be read. I have been absent during the discussion, in attendance upon a subcommittee, and I have not heard the amendment read. I should like to hear it.

The VICE PRESIDENT. The Secretary will state the amendment.

Mr. GALLINGER. Mr. President, I noticed when it was read before that some words were not plainly understood by those of us who were listening. [Laughter.]

The VICE PRESIDENT. The Chair cautions the Secretary to pronounce the words correctly.

The SECRETARY. The Senator from Massachusetts proposes to add the following to the amendment offered by the committee:

That on and after the day following the passage of this act there shall be levied, collected, and paid upon the articles named herein when imported from any foreign country into the United States or into any of its possessions, except the Philippine Islands and the Islands of Guam and Tutuila, the rates of duties which are herein prescribed, namely:

DUTIABLE LIST.

1. All products of coal, produced in commercial quantities through the destructive distillation of coal or otherwise, such as benzol, toluol, xylol, cumol, naphthalin, methylnaphthalin, azenaphten, fluorin, anthracene, phenol, cresol, pyridin, chinolin, carbazol, and other not specially provided for and not colors or dyes, 5 per cent ad valorem.

2. All the so-called "intermediates," made from the products referred to in paragraph 1, not colors or dyes, not specially provided for, 3½ cents per pound and 15 per cent ad valorem.

3. All colors or dyes derived from coal, 7½ cents per pound and 30 per cent ad valorem.

FREE LIST.

4. Acids: Acetic or pyroligneous, arsenic or arsenious, chromic, fluoric, hydrofluoric, hydrochloric or muriatic, nitric, phosphoric, prussic, silicic, sulphuric or oil of vitriol, and valerianic.

5. Coal tar, crude, pitch of coal tar, wood or other tar, dead or cresote oil.

6. Indigo, natural.

SEC. 2. That paragraphs 20, 21, 22, and 23 of Schedule A of section 1 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved 9 o'clock and 10 minutes p. m., October 3, 1913, and paragraphs 387 394, 452, and 514 of the "free list" of section 1 of said act, and so much of any heretofore existing law or parts of law as may be inconsistent with this act are hereby repealed.

Mr. SIMMONS. Mr. President, I think probably there is no other Senator who desires to speak on this matter, and I move to lay the amendment of the Senator from Massachusetts on the table.

Mr. LODGE. I think we can get a direct vote, Mr. President.

Mr. SIMMONS. Very well; I have no objection.

The VICE PRESIDENT. The yeas and nays have been demanded and ordered. The Secretary will call the roll.

Mr. LODGE. This is on the amendment?

The VICE PRESIDENT. On the adoption of the amendment.

The Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN], who is absent. Not knowing how he would vote if present, I withhold my vote.

Mr. JOHNSON of Maine (when his name was called). I transfer my general pair with the junior Senator from North Dakota [Mr. GRONNA] to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "nay."

Mr. MYERS (when his name was called). I have a pair with the junior Senator from Connecticut [Mr. McLEAN]. In his absence, I withhold my vote. I am informed that if the Senator from Connecticut were present he would vote "yea," and if I were able to vote I would vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I see he is not present, and I shall have to withhold my vote, as I do not know how he would vote on this question.

Mr. OWEN (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from South Dakota [Mr. JOHNSON] and will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the senior Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. I transfer that pair to the senior Senator from Tennessee [Mr. LEA] and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from New Jersey [Mr. HUGHES], I vote "nay."

The roll call was concluded.

Mr. CHILTON. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the junior Senator from Oklahoma [Mr. GORE] and will vote. I vote "nay."

Mr. DILLINGHAM (after having voted in the affirmative). I am compelled to withdraw my vote, as I see that the senior Senator from Maryland [Mr. SMITH] has not voted, and I have a pair with him.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Delaware [Mr. DU PONT] with the Senator from Kentucky [Mr. BECKHAM];

The Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Florida [Mr. BRYAN].

The result was announced—yeas 25, nays 41, as follows:

YEAS—25.

Borah	Curtis	Nelson	Sterling
Brandegee	Jones	Oliver	Wadsworth
Burleigh	Kenyon	Page	Weeks
Clapp	La Follette	Poindexter	Works
Clark, Wyo.	Lippitt	Sherman	
Colt	Lodge	Smith, Mich.	
Cummins	McCumber	Smoot	

NAYS—41.

Ashurst	Lane	Robinson	Taggart
Bankhead	Lewis	Saulsbury	Thomas
Broussard	Martin, Va.	Shafroth	Thompson
Chamberlain	Martine, N. J.	Sheppard	Tillman
Chilton	Norris	Shields	Underwood
Hardwick	Owen	Simmons	Vardaman
Hitchcock	Phelan	Smith, Ariz.	Walsh
Hollis	Pittman	Smith, Ga.	Williams
Husting	Pomerene	Smith, S. C.	
Johnson, Me.	Ransdell	Stone	
Kern	Reed	Swanson	

NOT VOTING—30.

Beckham	Fall	James	Overman
Brady	Fletcher	Johnson, S. Dak.	Penrose
Bryan	Gallinger	Lea, Tenn.	Smith, Md.
Catron	Goff	Lee, Md.	Sutherland
Clarke, Ark.	Gore	McLean	Townsend
Culberson	Gronna	Myers	Warren
Dillingham	Harding	Newlands	
du Pont	Hughes	O'Gorman	

So Mr. LODGE's amendment to the amendment of the committee was rejected.

The VICE PRESIDENT. The question recurs on the amendment of the Committee on Finance.

Mr. WORKS. Mr. President, I had supposed that a vote would not be called for upon the bill this afternoon. I have an amendment that I desire to submit and support by a few remarks. I am not prepared to do so this evening. I will ask the Senator from North Carolina whether there is any reason why the bill should be pressed to a vote this afternoon?

Mr. SIMMONS. I will state to the Senator that the only reason was that no Senator was ready to speak this afternoon, and I thought in view of the fact that we have a very short time before the 1st of May, the sooner we get this matter into

conference, where we anticipate there will be some little difference between the House and the Senate, the better. I was advised that there was no Senator on the other side of the Chamber who desires to speak.

Mr. WORKS. Then, evidently, I was not consulted on the subject. I do desire to present an amendment and support it very briefly. Probably it will not take me more than half an hour, but I can not do it now.

Mr. SIMMONS. Is there any reason why the Senator can not proceed now? I think we ought to get this matter out of the way as quickly as possible, so that the military bill may be taken up. It is important legislation, and I hope the Senator will not hold up the whole matter.

Mr. WORKS. I think under the unanimous-consent agreement the Senator ought not to press this measure to a vote now, when a Senator desires to be heard upon it and is not prepared to go on at this time.

Mr. SIMMONS. The unanimous-consent agreement, if the Senator will permit me, was that we would vote not later than 5 o'clock to-morrow.

Mr. WORKS. I think Senators had a right to assume——

Mr. SIMMONS. Of course under that agreement we can vote at any time when we are ready.

Mr. WORKS. We are not ready to vote now, when a Senator desires to submit an amendment to-morrow and speak upon it.

Mr. SIMMONS. Under the unanimous-consent agreement we were to proceed to the consideration of this bill beginning at 12 o'clock to-day and——

Mr. WORKS. I have no desire to delay the bill, but I do desire an opportunity to present what I have to say upon the amendment I shall propose, and I took it for granted that under the unanimous-consent agreement the bill would not be pressed to a vote this afternoon. I hardly think the Senator would desire to do that under the circumstances.

Mr. SIMMONS. Of course the Senator understands I do not desire to do anything that is discourteous to any Senator, and if the Senator states that he wants to speak and is not ready to speak this afternoon, I would not feel in face of that like insisting on a vote.

Mr. WORKS. That is what I have been saying.

Mr. GALLINGER. Mr. President, the Senator from North Carolina has stated what ought to be the action of the Senate. On this side of the Chamber we have hastened the passage of this bill. We have been anxious to have it passed. I have not agreed with some of the arguments that have been made in behalf of its passage, but it is inevitable that it is to pass and the Treasury needs the revenue. For that reason we have had no disposition to halt it.

Mr. President, it was distinctly understood that we would have most of to-morrow to discuss the bill, if anyone wished to discuss it, or to offer an amendment; and, when the Senator from California says he desires to offer an amendment and is not ready to do so now, there ought to be no controversy as to the bill going over until to-morrow.

Mr. STONE. There is none.

Mr. GALLINGER. I hope no effort will be made to force it.

Mr. SIMMONS. There is none. If the Senator from California says he is not ready to offer an amendment now, I, of course, do not press the bill.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened.

Mr. KERN. I move the Senate adjourn until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m., Monday, April 10, 1916) the Senate adjourned until to-morrow, Tuesday, April 11, 1916, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 10 (legislative day of March 30), 1916.

RECEIVERS OF PUBLIC MONEYS.

Frank Campbell to be receiver of public moneys at O'Neill, Nebr.

Arnold F. Beeler to be receiver of public moneys at North Platte, Nebr.

John P. Robertson to be receiver of public moneys at Broken Bow, Nebr.

REGISTER OF THE LAND OFFICE.

Eugene J. Eames to be register of the land office at North Platte, Nebr.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Ensign Howard A. Flanigan to be a lieutenant (junior grade).

Ensign Otto M. Forster to be a lieutenant (junior grade).

Chauncey R. Murray to be an assistant paymaster.

Boatswain Benjamin F. Singles to be a chief boatswain.

Boatswain Frank G. Mehling to be a chief boatswain.

Gunner Joseph Chamberlain to be a chief gunner.

Machinist Stephen H. Badgett to be a chief machinist.

Machinist Jonathan H. Warman to be a chief machinist.

John F. Huddleston to be an assistant paymaster.

POSTMASTERS.

MISSOURI.

Clyde G. Eubank, Madison.

A. S. J. Martin, East Prairie.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 10, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father of all Souls, never far from any of us, we would draw near to Thee, that our minds may be quickened, our hearts purified; that we may be strong to do and to dare. For Thou art the inspiration of all good, the strength of every noble endeavor. We realize that the path of duty is not always easy to follow; but we shall reap if we faint not, for Thou art the God of our salvation, and in Thee we put our trust. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of Saturday, April 8, 1916, was read and approved.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of what is known as the juvenile-court bill.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the juvenile-court bill, the unfinished business on District day.

Mr. SPARKMAN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. SPARKMAN. Mr. Speaker, I rise to make a preferential motion. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor appropriation bill.

The SPEAKER. The gentleman from Florida makes the preferential motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill. The question is on the motion of the gentleman from Florida, that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill.

The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) there were—ayes 46, noes 6.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill, with Mr. SHERLEY in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Fox River, Wis.: Continuing improvement from Depere up to Portage, including maintenance of improvement of Wolf River and of the harbors heretofore improved on Lake Winnebago, $30,000. And the Secretary of War is hereby authorized to convey, by quitclaim deed, to the State of Wisconsin, or to the city of Portage, free of cost, all the right, title, and interest of the United States in and to the "Portage Levee," including the right of way on which it is built, whenever the proper authorities of said State, or of said city, shall satisfy the Secretary of War that they are empowered by law to accept the same.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I dislike to question the competency or accuracy of the clerks employed by the Rivers and Harbors Committee, and will say that the best compliment I have received in my work has come from the secretary of that committee, who praised the